

# **Standing Appropriations Bill**

## **Senate File 452**

*As amended by S-3218 (House amendment)*  
*(Strike everything after the enacting clause)*

Last Action:

**House Floor**

May 2, 2013

**An Act relating to state and local finances by making appropriations, providing for fees, providing for legal responsibilities, providing for certain employee benefits, and providing for properly related matters, and including effective date and retroactive and other applicability provisions.**

**Fiscal Services Division**  
**Legislative Services Agency**

### **NOTES ON BILLS AND AMENDMENTS (NOBA)**

Available on line at <http://www.legis.iowa.gov/LSAReports/noba.aspx>

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**FUNDING SUMMARY**

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Senate File 452, as amended, makes adjustments to standing appropriations currently in statute as well as making various new appropriations. This amendment impacts General Fund appropriation levels for FY 2014 and FY 2015 as follows:

Page 1, Line 5

- FY 2014: Provides a net decrease in appropriations of \$20.3 million.
- FY 2015: Provides a net decrease in appropriations of \$29.2 million.

Within current statute, there are \$2,988.1 million in General Fund standing appropriations estimated for FY 2014 and \$2,991.0 million for FY 2015. The amendment reduces current law standing appropriations by a net total of \$50.3 million in FY 2014 and \$29.2 million in FY 2015. Additionally, the amendment provides new appropriations totaling \$30.1 million for FY 2014.

Adjustments to General Fund standing appropriations for FY 2014 and FY 2015:

- Reduces the FY 2014 standing appropriation for the Legislative Branch by \$3.0 million.
- Limits the appropriation to the Department of Management for the payment of Appeal Board Claims to \$3.0 million for FY 2014.
- Limits the appropriation to the Department of Cultural Affairs for operational support grants and community cultural grants to \$417,000 for FY 2014 and \$208,000 for FY 2015.
- Limits the appropriation to the Iowa Economic Development Authority for regional tourism marketing to \$810,000 for FY 2014 and \$405,000 for FY 2015.
- Limits the appropriation to the Department of Education for Children At-Risk Programs to \$10.7 million for FY 2014 and \$5.4 million for FY 2015.
- Notwithstanding the appropriation to the Department of Education for Instructional Support State Aid, resulting in no funding for the Program in FY 2014 and FY 2015. This represents an appropriation reduction of \$14.8 million in both fiscal years.
- Limits the funding to the Department of Education for nonpublic school transportation to \$8.6 million for FY 2014 and FY 2015.
- Eliminates the \$5.0 million annual appropriations for FY 2014 and FY 2015 for the Peace Officers' Retirement System. The \$5.0 million standing appropriation remains in place for FY 2016 and subsequent years.
- Reduces the FY 2014 State aid funding to area education agencies (AEAs) by \$20.0 million.

- Limits the funding to the Department of Revenue for tobacco reporting enforcement to \$18,000 in FY 2014 and \$9,000 in FY 2015.

New General Fund appropriations for FY 2014:

- Appropriates \$50,000 for FY 2014 to the Department of Human Rights for costs associated with Individual Development Accounts (IDAs).
- Appropriates \$50,000 for FY 2014 to the Banking Division of the Department of Commerce to implement a financial literacy program.
- Appropriates \$29.8 million to the Property Tax Relief Fund to be distributed to the counties based on the Mental Health equalization formula.
- Appropriates an estimated \$135,000 from the General Fund for FY 2014 to the Street Construction Fund to provide a one-time appropriation for payment to certain cities where corrections were made to the census count by the U.S. Census Bureau, retroactive to March 2011.

**MAJOR INCREASES/DECREASES/TRANSFERS OF EXISTING PROGRAMS**

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Amends HF 603 (Administration and Regulation Appropriations Bill) and authorizes an additional 3.0 FTE positions for the Governor's Office and 1.0 FTE position for the Department of Management.

Page 4, Line 1

**STUDIES AND INTENT**

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Directs the Department of Human Services to adopt administrative rules to clarify that the cost of staff training incurred by providers of home and community-based services under Medicaid is reimbursable as a direct cost.

Page 4, Line 11

Specifies that if a private agency (defined as a residential facility licensed under Iowa Code, Chapter 135H or 237) contracted with a school district to provide general or special education instructional programs on or before FY 2011 for FY 2012 and FY 2013, the facility may bill the school district for the costs of the programs. These costs may include costs of general administration, health service, attendance officers, plant operation, plant maintenance, instructional costs, equipment, transportation, and property casualty and liability insurance.

Page 28, Line 26

Requests the Legislative Council to create an interim study committee during the 2013 interim to review the payment of general education and special education costs associated with student services provided by private agencies. Page 29, Line 7

**SIGNIFICANT CODE CHANGES**

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Allows county election commissioners to use an electronic election register to produce the voter declaration that is required for voting purposes. Page 4, Line 22

Establishes an annual assessment fee for licensed health care facilities for the purpose of covering the cost of contested citation reviews conducted by the Department of Inspections and Appeals. Page 4, Line 30

Requires all individuals with a duty related to death certification to use an electronic death record system when one is activated. Page 4, Line 43

Makes changes to the Statewide Voluntary Preschool Program. Allows an unobligated preschool foundation aid formula fund balance to be used in the succeeding fiscal year to expand the program's student capacity. Requires that not more than 5.0% of the preschool foundation aid received by a school district be used by school districts for costs associated with administering the program. Allows for the payment for direct and indirect costs relating to students served in an approved preschool program through a community-based provider. Requires a community-based provider to use a process recommended by the State Auditor to identify direct and indirect costs attributable to the students enrolled in the Program. Page 5, Line 4

Removes the \$4,000 upper limitation on awards under the Iowa Tuition Grant Program. As a result, awards will be limited to an amount equal to the annual undergraduate tuition and fees at a Regents university. Page 5, Line 49

Provides that children of a police officer killed in the line of duty, covered under the Protection Occupation class of the Iowa Public Employees Retirement System (IPERS), are added to the list of qualified students for the Iowa Grant Program. Page 6, Line 17

Amends current law relating to funds that remain in a nonguaranteed irrevocable burial trust fund or from the proceeds of an insurance policy or annuity made payable to the seller or a provider (i.e., insurance agent) after the payment of funeral and burial expenses. Under current law, the seller is required to disburse any remaining funds from the burial trust fund to the representative of the deceased. This amendment changes the requirement so that a seller is required to disburse any remaining funds in excess of \$500. Page 6, Line 25

Division III of this Bill contains a variety of nonsubstantive statutory corrective provisions to the Iowa Code Page 6, Line 38

and the 2013 Iowa Acts.

Makes numerous changes to laws pertaining to eminent domain.

Page 17, Line 8

Incorporates changes made to base population estimates determined by the U.S. Census Bureau for the period beginning March 2011 and ending March 2021, for the purpose of distributing Street Construction Funds to cities.

Page 22, Line 8

Clarifies duties and responsibilities of insurance producers and nullifies the holdings of two recent cases decided by the Iowa Supreme Court to the extent that higher and greater responsibilities were imposed on insurance producers.

Page 22, Line 48

Strikes the July 1, 2013, sunset of the Property Assessment Appeal Board (PAAB) and eliminates the PAAB Review Committee. Modifies the grounds for filing an appeal and changes the deadline for appeals to be filed within 20 days of the adjournment of the local board of review or May 31, whichever is later. Allows for waiving the 30-day appeal hearing notice upon mutual agreement of all parties to the appeal. This language was contained in HF 621 (Property Assessment Appeal Board Revisions).

Page 24, Line 4

**FISCAL IMPACT:** Since the sunset is eliminated, the costs for the Board to continue to operate are estimated at \$874,000 in FY 2014 and \$882,000 in FY 2015.

Provides for the registration of all-terrain vehicles (ATVs) authorized for operation on secondary roads or city streets where authorized by local ordinance. Operators must be age 16 or older and possess a valid driver's license. Establishes an annual registration fee of \$50 for ATVs operated on secondary roads or city streets. The registration fees are in addition to the requirements of Iowa Code chapter 321I. All ATVs utilized exclusively as a farm implement are exempt from registration fee.

Page 29, Line 33

Grants new powers to the Administrative Rules Review Committee (ARRC) during the rulemaking process. Changes pertain to emergency rulemaking procedures and notices of intended action filed by State agencies.

Page 35, Line 47

Requires state employees and elected officials of all branches of government to pay 20.0% of their total health insurance premium and allows for employees and elected officials to receive a wellness credit.

Page 39, Line 7

Expands current law to apply to a broader range of devices that interfere with radar speed meters and laser speed meters. The fine amount remains the same as current law, a simple misdemeanor punishable by a scheduled fine of \$100. Current law prohibits the sale, operation, or possession of a radar jamming device.

Page 42, Line 2

**EXECUTIVE SUMMARY**  
STANDING APPROPRIATIONS BILL

**S3218**

- Requires personally identifying information of holders of nonprofessional permits to carry weapons and permits to acquire pistols or revolvers to be kept confidential. However, statistical information can be released as long as it does not identify the permit holder. Page 42, Line 47
- Provides technical and conforming changes to the Notary Public statute in the Iowa Code. Page 44, Line 26
- Creates the Financial Literacy Fund under the direction of the Superintendent of the Banking Division of the Department of Commerce for the purpose of implementing a financial literacy program. Page 47, Line 22
- Repeals a provision in SF 181 (Matters under the Purview of the Banking Division) that was passed by the General Assembly and signed into law by the Governor, that pertains to requiring the Architectural Examining Board to adopt rules to govern the practice of architecture through business entities to protect the public from misleading and deceptive advertising and to guard against the unlicensed practice of architecture. Page 47, Line 40
- Provides changes to the definition of “mobile home park” to include modular homes, motor homes, recreational park trailers, and travel trailers. Provides a definition for recreational park trailers. Page 47, Line 49
- Appropriates \$29.8 million to the Property Tax Relief Fund to be distributed to the counties based on the equalization formula. Page 49, Line 12
- Establishes a Newborn Critical Congenital Heart Disease Screening Program. Page 59, Line 16
- Changes the household income eligibility requirement for a person to open an individual development account from 200.00% of the federal poverty level to 100.00%. Page 60, Line 10

S3218 provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section
3	15	6	Amend	97A.11A.1
3	25	7	Add	257.35.7A
4	22	11	Add	49.77.1.c
4	30	12	Add	135C.7
4	43	13	Add	144.26.5
5	4	14	Add	256C.4.1.d
5	13	15	Amend	256C.4.1.g,h
5	49	16	Amend	261.12.1
6	17	17	Amend	261.93.2.b.(4)
6	25	18	Amend	523A.303.1.b
6	40	20	Amend	2.12
7	33	21	Amend	2.42.14
7	40	22	Amend	2C.3
7	49	23	Amend	2C.9
8	6	24	Amend	2C.11
8	13	25	Amend	2C.18
8	29	26	Amend	8B.21.5.e
8	38	27	Amend	23A.4
8	46	28	Amend	29.1
9	7	29	Amend	35A.13.6A.b.(1)
9	30	30	Amend	70A.28.2,6,8
10	14	31	Amend	105.10.3
10	33	32	Amend	105.32
10	45	33	Amend	126.11.3.b
11	17	34	Amend	249A.43
11	25	35	Amend	252D.17
11	39	36	Amend	263B.3
11	50	37	Add	321.463.12A
12	17	38	Amend	321E.9A.1
12	29	39	Amend	327F.39.6
12	37	40	Amend	418.5.1
13	1	41	Amend	426A.11.1
13	8	42	Add	455B.275.3A
13	20	43	Amend	490.863
13	28	44	Amend	490.1302.2.d
13	36	45	Amend	522.6
14	2	46	Amend	533.405.4A
14	21	47	Amend	543C.2
14	37	48	Amend	556.2.5
14	48	49	Amend	716.7
15	25	50	Amend	724.2
17	8	59	New	6A.15
17	28	60	Amend	6A.19
17	39	61	Amend	6A.22.2.c.(1)
19	5	62	Add	6B.54.10.a.(3)
19	17	63	New	6B.56B
20	3	64	Amend	403.7.1
20	17	65	New	423B.11
20	28	66	Add	455A.5.7

S3218 provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section
20	38	67	Amend	456A.24.2
20	45	68	Add	456A.24.15
21	5	69	Amend	461A.7
21	14	70	Amend	461A.10
21	26	71	Amend	463C.8.1.k
21	32	72	Repeal	461A.9,461A.75
22	8	77	Add	312.3.2.d
22	48	81	Add	522B.1.7A,12A
23	15	82	Strike and Replace	522B.11.7
24	6	83	Amend	421.1A.6
24	18	84	Strike	421.1A.7
24	20	85	Amend	441.21.3
24	44	86	Amend	441.35.2
25	25	87	Amend	441.37.1.a,b
26	49	88	Amend	441.37A.1.b
27	20	89	Amend	441.37A.2.a
27	43	90	Amend	441.37A.3.a
29	33	97	Amend	321.1.32
30	13	98	Amend	321.1.47A
30	26	99	Add	321.105A.2.c.(31)
30	34	100	Amend	321.109.1.a
31	46	101	New	321.118
32	22	102	Amend	321.166.1.a
32	31	103	Amend	321.166.4
32	39	104	Strike	321.234A.1.f
32	41	105	Add	321.234A.5
32	47	106	New	321.234B
33	35	107	Add	321.236.14A
33	41	108	Add	321.285.6A
33	48	109	Amend	321F.1.7
34	4	110	Amend	321H.2.10
34	12	111	Amend	321I.9
34	17	112	Amend	321I.10.1
34	23	113	Strike	321I.10.2,3
34	25	114	Amend	321I.31.1
34	44	115	Amend	322.2.13,23
35	6	116	Amend	322A.1.8
35	13	117	Amend	331.362.9
35	21	118	Amend	423.1.66
35	27	119	Amend	516E.1.6
35	32	120	Amend	537B.2.2
35	41	121	Add	805.8A.6.0a
35	47	122	Amend	17A.4.3
36	45	123	Amend	17A.4.7
37	14	124	Add	17A.4.9
37	25	125	Amend	17A.8.9
38	19	126	Amend	17A.23
39	7	127	Amend	2.40.1.a.(2)
39	24	128	New	8A.440

S3218 provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section
42	2	133	Amend	321.232
42	40	134	Amend	805.8A.14.g
42	47	135	Amend	724.23
43	32	136	New	724.29A
44	26	139	Amend	9B.15.3
44	31	140	Amend	9B.17.1.a
44	45	141	Amend	321I.31.3
45	18	142	Amend	462A.77.4
45	41	143	Amend	554.3505.2
46	5	144	Amend	589.4
46	24	145	Amend	589.5
46	46	146	Amend	622.86
47	22	148	New	524.107A
47	49	152	Amend	435.1.6
48	18	153	Add	435.1.8,9
48	31	154	Amend	562B.7.7
48	49	155	Add	562B.7.8A,9A
49	15	156	Amend	331.389.3.a
49	25	157	Add	331.396.1.0d
49	32	158	Add	331.396.2.0d
49	39	159	Amend	331.397.2.b
50	4	160	Amend	426b.3.4
54	11	169	Amend	225C.4.1.j
54	25	170	Amend	225C.6A
56	44	171	Repeal	225C.4.1.j
56	47	172	Repeal	225C.6A
57	2	173	New	242.1
57	11	174	New	242.2
58	13	175	New	242.3
59	16	177	New	136A.5A
60	10	179	Amend	541A.2.1.a
60	16	180	Amend	541A.7.2

S3218 House Amendment to

1 1 Amend Senate File 452, as amended, passed, and  
1 2 reprinted by the Senate, as follows:  
1 3 1 By striking everything after the enacting clause  
1 4 and inserting:

1 5 DIVISION I  
1 6 STANDING APPROPRIATIONS AND RELATED MATTERS

1 7 Section 1. BUDGET PROCESS FOR FISCAL YEAR  
1 8 2014-2015.

1 9 1. For the budget process applicable to the fiscal  
1 10 year beginning July 1, 2014, on or before October 1,  
1 11 2013, in lieu of the information specified in section  
1 12 8.23, subsection 1, unnumbered paragraph 1, and  
1 13 paragraph "a", all departments and establishments of  
1 14 the government shall transmit to the director of the  
1 15 department of management, on blanks to be furnished  
1 16 by the director, estimates of their expenditure  
1 17 requirements, including every proposed expenditure, for  
1 18 the ensuing fiscal year, together with supporting data  
1 19 and explanations as called for by the director of the  
1 20 department of management after consultation with the  
1 21 legislative services agency.

1 22 2. The estimates of expenditure requirements  
1 23 shall be in a form specified by the director of  
1 24 the department of management, and the expenditure  
1 25 requirements shall include all proposed expenditures  
1 26 and shall be prioritized by program or the results to  
1 27 be achieved. The estimates shall be accompanied by  
1 28 performance measures for evaluating the effectiveness  
1 29 of the programs or results.

1 30 Sec. 2. GENERAL ASSEMBLY.

1 31 1. The appropriations made pursuant to section  
1 32 2.12 for the expenses of the general assembly and  
1 33 legislative agencies for the fiscal year beginning July  
1 34 1, 2013, and ending June 30, 2014, are reduced by the  
1 35 following amount:

1 36 ..... \$ 3,000,000

1 37 2. The budgeted amounts for the general assembly  
1 38 for the fiscal year beginning July 1, 2013, may be  
1 39 adjusted to reflect unexpended budgeted amounts from  
1 40 the previous fiscal year.

1 41 Sec. 3. LIMITATIONS OF STANDING APPROPRIATIONS  
1 42 — FY 2013-2014. Notwithstanding the standing

Requires State agencies to submit FY 2015 budget information to the Department of Management (DOM) and include all proposed expenditures, supporting data, and explanations. Requires the Director of the DOM to consult with the Legislative Services Agency (LSA) concerning the provision of support data. Requires budgeted expenditures to be prioritized by program or by results expected to be achieved, and requires performance measures to be included with the budget information.

Reduces the FY 2014 standing appropriation for the Legislative Branch by \$3,000,000.

DETAIL: The FY 2014 Legislative Branch budget is estimated at \$37,000,000. This requirement reduces the budget to \$34,000,000 and represents a decrease of \$237,076 compared to the amount budgeted for FY 2013.

CODE: Limits selected FY 2014 standing appropriations to specified amounts.

1 43 appropriations in the following designated sections for  
 1 44 the fiscal year beginning July 1, 2013, and ending June  
 1 45 30, 2014, the amounts appropriated from the general  
 1 46 fund of the state pursuant to these sections for the  
 1 47 following designated purposes shall not exceed the  
 1 48 following amounts:

1 49 1. For paying claims against the state under  
 1 50 section 25.2:  
 2 1 ..... \$ 3,000,000

Limits the General Fund appropriation to the Department of Management for the payment of Appeal Board Claims to \$3,000,000 for FY 2014.

DETAIL: Appeal Board claims for FY 2014 are estimated to be \$7,086,307.

2 2 2. For operational support grants and community  
 2 3 cultural grants under section 99F.11, subsection 3,  
 2 4 paragraph "d", subparagraph (1):  
 2 5 ..... \$ 416,702

Limits the FY 2014 General Fund appropriation to the Department of Cultural Affairs (DCA) for operational support grants and community cultural grants to \$416,702.

DETAIL: This is a decrease of \$103,298 compared to the standing appropriation of \$520,000 specified in statute. This represents the same level of funding appropriated for FY 2013. Iowa Code section 99F.11 funds this Program with wagering tax revenues that are deposited in the General Fund and then appropriated to the DCA.

2 6 3. For regional tourism marketing under section  
 2 7 99F.11, subsection 3, paragraph "d", subparagraph (2):  
 2 8 ..... \$ 810,306

Limits the FY 2014 General Fund appropriation to the Iowa Economic Development Authority (IEDA) for regional tourism marketing to \$810,306.

DETAIL: This is a decrease of \$353,694 compared to the estimated standing appropriation of \$1,164,000. This represents the same level of funding appropriated for FY 2013. Iowa Code section 99F.11 funds this Program with wagering tax revenues that are deposited in the General Fund and then appropriated to the IEDA.

2 9 4. For programs for at-risk children under section  
 2 10 279.51:  
 2 11 ..... \$ 10,728,891  
 2 12 The amount of any reduction in this subsection shall  
 2 13 be prorated among the programs specified in section  
 2 14 279.51, subsection 1, paragraphs "a", "b", and "c".

Limits the FY 2014 General Fund appropriation to the Department of Education for Children At-Risk Programs to \$10,728,891.

DETAIL: This is a decrease of \$1,877,299 compared to the standing appropriation of \$12,606,190 specified in statute. This represents the same level of funding appropriated for FY 2013.

2 15 5. For payment for nonpublic school transportation  
 2 16 under section 285.2:  
 2 17 ..... \$ 8,560,931  
 2 18 If total approved claims for reimbursement for

Limits the General Fund appropriation to the Department of Education for nonpublic school transportation to \$8,560,931.

DETAIL: This is an increase of \$1,500,000 compared to FY 2013, and

2 19 nonpublic school pupil transportation exceed the amount  
 2 20 appropriated in accordance with this subsection, the  
 2 21 department of education shall prorate the amount of  
 2 22 each approved claim.

a decrease of \$1,100,000 compared to the estimated standing appropriation of \$9,660,931 specified in current law.

2 23 6. For the enforcement of chapter 453D relating to  
 2 24 tobacco product manufacturers under section 453D.8:  
 2 25 ..... \$ 18,416

Limits the General Fund appropriation to the Department of Revenue for tobacco reporting enforcement to \$18,416.

DETAIL: This is the same level of funding provided in FY 2013, and a decrease of \$6,584 compared to the \$25,000 standing appropriation specified in statute.

2 26 Sec. 4. LIMITATIONS OF STANDING APPROPRIATIONS  
 2 27 — FY 2014-2015. Notwithstanding the standing  
 2 28 appropriations in the following designated sections for  
 2 29 the fiscal year beginning July 1, 2014, and ending June  
 2 30 30, 2015, the amounts appropriated from the general  
 2 31 fund of the state pursuant to these sections for the  
 2 32 following designated purposes shall not exceed the  
 2 33 following amounts:

CODE: Limits selected FY 2015 standing appropriations to specified amounts.

2 34 1. For operational support grants and community  
 2 35 cultural grants under section 99F.11, subsection 3,  
 2 36 paragraph "d", subparagraph (1):  
 2 37 ..... \$ 208,351

Limits the FY 2015 General Fund appropriation to the Department of Cultural Affairs for operational support grant and community cultural grants to \$208,351.

DETAIL: This is a decrease of \$311,649 compared to the estimated standing appropriation of \$520,000 standing appropriation and represents 50.00% of the amount appropriated for FY 2014. Iowa Code section 99F.11 funds this Program with wagering tax revenues that are deposited in the General Fund and then appropriated to the DCA.

2 38 2. For regional tourism marketing under section  
 2 39 99F.11, subsection 3, paragraph "d", subparagraph (2):  
 2 40 ..... \$ 405,153

Limits the FY 2015 General Fund appropriation to the IEDA for regional tourism marketing to \$405,153.

DETAIL: This is a decrease of \$758,847 compared to the estimated standing appropriation of \$1,164,000 and represents 50.00% of the amount appropriated for FY 2014. Iowa Code section 99F.11 funds this Program with wagering tax revenues that are deposited in the General Fund and then appropriated to the DCA.

2 41 3. For programs for at-risk children under section  
 2 42 279.51:  
 2 43 ..... \$ 5,364,445  
 2 44 The amount of any reduction in this subsection shall  
 2 45 be prorated among the programs specified in section

Limits the FY 2014 General Fund appropriation to the Department of Education for Children At-Risk Programs to \$5,364,445.

DETAIL: This is a decrease of \$7,241,745 compared to the standing appropriation of \$12,606,190 specified in statute and represents

<p>2 46 279.51, subsection 1, paragraphs “a”, “b”, and “c”.</p>	<p>50.00% of the amount appropriated for FY 2014.</p>
<p>2 47 4. For payment for nonpublic school transportation                  2 48 under section 285.2:                  2 49 ..... \$ 8,560,931                  2 50 If total approved claims for reimbursement for                  3 1 nonpublic school pupil transportation exceed the amount                  3 2 appropriated in accordance with this subsection, the                  3 3 department of education shall prorate the amount of                  3 4 each approved claim.</p>	<p>Limits the General Fund appropriation to the Department of Education for nonpublic school transportation to \$8,560,931.</p> <p>DETAIL: This is a decrease of \$1,100,000 compared to the estimated standing appropriation of \$9,660,931 specified in current law and represents the same level of funding appropriated for FY 2014.</p>
<p>3 5 5. For the enforcement of chapter 453D relating to                  3 6 tobacco product manufacturers under section 453D.8:                  3 7 ..... \$ 9,208</p>	<p>Limits the General Fund appropriation to the Department of Revenue for tobacco reporting enforcement to \$9,208.</p> <p>DETAIL: This is a decrease of \$15,792 compared to the \$25,000 standing appropriation specified in statute and represents 50.00% of the amount appropriated for FY 2014.</p>
<p>3 8 Sec. 5. INSTRUCTIONAL SUPPORT STATE AID —                  3 9 FY 2013-2014 — FY 2014-2015. In lieu of the                  3 10 appropriation provided in section 257.20, subsection 2,                  3 11 the appropriation for the fiscal years beginning July                  3 12 1, 2013, and July 1, 2014, for paying instructional                  3 13 support state aid under section 257.20 for fiscal years                  3 14 2013-2014 and 2014-2015 is zero.</p>	<p>Eliminates the General Fund standing appropriation of \$14,800,000 for the Instructional Support Program for FY 2014 and FY 2015.</p> <p>DETAIL: The Program also received no funding in FY 2013. Although no State funding will be provided for the Program, school districts that implement the Program will use local property tax and income surtax to fund their portion of the Program. In FY 2013, 336 districts (96.60%) implemented the Program and generated \$189,900,000 in local taxes (\$85,700,000 in income surtax and \$104,200,000 in property taxes) to fund the Program.</p>
<p>3 15 Sec. 6. Section 97A.11A, subsection 1, Code 2013,                  3 16 is amended to read as follows:                  3 17 1. Beginning with the fiscal year commencing July                  3 18 1, <del>2013</del> 2015, and ending June 30 of the fiscal year                  3 19 during which the board determines that the system’s                  3 20 funded ratio of assets to liabilities is at least                  3 21 eighty-five percent, there is appropriated from the                  3 22 general fund of the state for each fiscal year to the                  3 23 retirement fund described in section 97A.8, an amount                  3 24 equal to five million dollars.</p>	<p>CODE: Delays the implementation of a \$5,000,000 General Fund standing appropriation to FY 2016 for the Public Safety Peace Officers’ Retirement System (PORS).</p> <p>DETAIL: During the 2010 Legislative Session, HF 2518 (Public Pension Retirement Act) established a standing limited appropriation of \$5,000,000 per year for the PORS beginning in FY 2013. The purpose of the standing appropriation is to provide additional funding until the ratio of assets to liabilities is equal to 85.00%.</p>
<p>3 25 Sec. 7. Section 257.35, Code 2013, is amended by                  3 26 adding the following new subsection:                  3 27 NEW SUBSECTION 7A. Notwithstanding subsection 1,                  3 28 and in addition to the reduction applicable pursuant                  3 29 to subsection 2, the state aid for area education                  3 30 agencies and the portion of the combined district cost</p>	<p>CODE: Reduces the FY 2014 State aid funding to area education agencies (AEAs) by \$20,000,000.</p> <p>DETAIL: In addition to the \$20,000,000 State aid reduction for FY 2014, the AEAs have an annual statutory reduction of \$7,500,000. The State aid reduction to AEAs will total \$27,500,000 and will match the</p>

3 31 calculated for these agencies for the fiscal year  
 3 32 beginning July 1, 2013, and ending June 30, 2014, shall  
 3 33 be reduced by the department of management by twenty  
 3 34 million dollars. The reduction for each area education  
 3 35 agency shall be prorated based on the reduction that  
 3 36 the agency received in the fiscal year beginning July  
 3 37 1, 2003.

FY 2014 total State aid reduction amount.

3 38 DIVISION II  
 3 39 MISCELLANEOUS PROVISIONS AND APPROPRIATIONS

3 40 Sec. 8. INDIVIDUAL DEVELOPMENT ACCOUNT  
 3 41 PROGRAM. There is appropriated from the general fund  
 3 42 of the state to the department of human rights for the  
 3 43 fiscal year beginning July 1, 2013, and ending June 30,  
 3 44 2014, the following amounts, or so much thereof as is  
 3 45 necessary, for the purposes designated:  
 3 46 For deposit in the individual development account  
 3 47 state match fund created in section 541A.7 to support  
 3 48 the operating organization providing individual  
 3 49 development accounts in Iowa:  
 3 50 ..... \$ 50,000

General Fund appropriation for FY 2014 to the Department of Human Rights for costs associated with Individual Development Accounts (IDAs).

DETAIL: This is a new appropriation. An IDA is an asset building tool designed to enable low-income families to save towards the purchase of lifelong assets including: a primary residence, home improvements, secondary education, capitalization of a small business start-up, emergency medical expenses, and occupational training costs.

4 1 Sec. 9. HOUSE FILE 603 — FTE AUTHORIZATION.  
 4 2 1. For purposes of the offices of the governor and  
 4 3 lieutenant governor, there is authorized an additional  
 4 4 3.00 full-time equivalent positions above those  
 4 5 otherwise authorized pursuant to 2013 Iowa Acts, House  
 4 6 File 603, if enacted.  
 4 7 2. For purposes of the department of management,  
 4 8 there is authorized an additional 1.00 full-time  
 4 9 equivalent position above those otherwise authorized  
 4 10 pursuant to 2013 Iowa Acts, House File 603, if enacted.

Authorizes an additional 3.00 FTE positions for the Governor's Office and 1.00 FTE position for the Department of Management. This Section amends HF 603 (Administration and Regulation Appropriations Bill).

4 11 Sec. 10. HOME AND COMMUNITY-BASED SERVICES  
 4 12 PROVIDERS — REASONABLE COSTS OF STAFF TRAINING —  
 4 13 REIMBURSEMENT AS DIRECT COSTS. The department of  
 4 14 human services shall adopt rules pursuant to chapter  
 4 15 17A to provide that reasonable costs of staff training  
 4 16 incurred by providers of home and community-based  
 4 17 services under the medical assistance program are  
 4 18 reimbursable as direct costs. Such reimbursement  
 4 19 shall include reimbursement of the reasonable costs  
 4 20 associated with the learning management system utilized  
 4 21 under the college of direct support training program.

Directs the Department of Human Services to adopt administrative rules to clarify that the cost of staff training incurred by providers of home and community-based services under Medicaid is reimbursable as a direct cost.

4 22 Sec. 11. Section 49.77, subsection 1, Code 2013, is

CODE: Allows county election commissioners to use an electronic

4 23 amended by adding the following new paragraph:  
 4 24 NEW PARAGRAPH c. At the discretion of the  
 4 25 commissioner, an electronic election register may  
 4 26 be used to produce the declaration required in this  
 4 27 subsection. The person desiring to vote shall sign  
 4 28 the declaration produced by the electronic election  
 4 29 register prior to receiving a ballot.

election register to produce the voter declaration that is required for voting purposes.

4 30 Sec. 12. Section 135C.7, Code 2013, is amended by  
 4 31 adding the following new unnumbered paragraph:  
 4 32 NEW UNNUMBERED PARAGRAPH In addition to the  
 4 33 license fees listed in this section, there shall be  
 4 34 an annual assessment assessed to each licensee in an  
 4 35 amount to cover the cost of independent reviewers  
 4 36 provided pursuant to section 135C.42. The department  
 4 37 shall, in consultation with licensees, establish  
 4 38 the assessment amount by rule based on the award of  
 4 39 a request for proposals. The assessment shall be  
 4 40 retained by the department as a repayment receipt as  
 4 41 defined in section 8.2 and used for the purpose of  
 4 42 paying the cost of the independent reviewers.

CODE: Establishes an annual assessment fee for licensed health care facilities for the purpose of covering the cost of contested citation reviews conducted by the Department of Inspections and Appeals.

4 43 Sec. 13. Section 144.26, Code 2013, is amended by  
 4 44 adding the following new subsection:  
 4 45 NEW SUBSECTION 5. Upon the activation of an  
 4 46 electronic death record system, each person with a  
 4 47 duty related to death certificates shall participate  
 4 48 in the electronic death record system. A person with  
 4 49 a duty related to a death certificate includes but  
 4 50 is not limited to a physician as defined in section  
 5 1 135.1, a physician assistant, an advanced registered  
 5 2 nurse practitioner, a funeral director, and a county  
 5 3 recorder.

CODE: Requires all individuals with a duty related to death certification to use an electronic death record system when one is activated.

FISCAL IMPACT: There is no fiscal impact to the State General Fund. There may be some impact to individuals required to submit records electronically, but it is expected to be minimal.

5 4 Sec. 14. Section 256C.4, subsection 1, paragraph  
 5 5 d, Code 2013, is amended by adding the following new  
 5 6 unnumbered paragraph:  
 5 7 NEW UNNUMBERED PARAGRAPH Preschool foundation aid  
 5 8 funding distributed to an approved local program that  
 5 9 remains unencumbered or unobligated at the close of  
 5 10 a fiscal year shall be used in the succeeding fiscal  
 5 11 year to expand the local program's preschool student  
 5 12 capacity.

CODE: Specifies the following regarding the Statewide Voluntary Preschool Program:

- Allows the remaining unobligated preschool foundation aid formula fund balance to be used in the succeeding fiscal year to expand the program's student capacity.
- Requires that not more than 5.00% of the preschool foundation aid received by a school district be used by school districts for costs associated with administering the program.
- Allows for the payment of direct and indirect costs relating to students served in an approved preschool program through a community-based provider. Requires a community-based provider to use a process recommended by the State Auditor to identify direct and indirect costs attributable to the students

5 13 Sec. 15. Section 256C.4, subsection 1, paragraphs g  
 5 14 and h, Code 2013, are amended to read as follows:  
 5 15 g.—~~For the fiscal year beginning July 1, 2011,~~  
 5 16 ~~and each succeeding fiscal year, of~~ Of the amount  
 5 17 of preschool foundation aid received by a school

5 18 district for a fiscal year in accordance with section  
 5 19 257.16, not more than five percent may be used by the  
 5 20 school district for the school district's costs of  
 5 21 administering the district's approved local program.  
 5 22 ~~h.—For the fiscal year beginning July 1, 2012, and~~  
 5 23 ~~each succeeding fiscal year, of the amount of preschool~~  
 5 24 ~~foundation aid received by a school district for a~~  
 5 25 ~~fiscal year in accordance with section 257.16, not~~  
 5 26 ~~less than ninety-five percent of the per pupil amount~~  
 5 27 ~~shall be passed through to If the students enrolled~~  
 5 28 ~~in a school district's approved local program receive~~  
 5 29 ~~the program's preschool instruction through or in~~  
 5 30 ~~conjunction with services provided to the students by~~  
 5 31 a community-based provider for each pupil enrolled in  
 5 32 the district's approved local program, the department's  
 5 33 administrative rules and other requirements applicable  
 5 34 to the provider and the school district's agreement  
 5 35 with the provider shall allow payment for the  
 5 36 provider's direct and indirect costs relating to the  
 5 37 students. ~~For the fiscal year beginning July 1, 2011,~~  
 5 38 ~~and each succeeding fiscal year, not more than five~~  
 5 39 ~~percent of the amount of preschool foundation aid~~  
 5 40 ~~passed through to a community-based provider may be~~  
 5 41 ~~used by the community-based provider for administrative~~  
 5 42 ~~costs. If the community-based provider is not subject~~  
 5 43 ~~to an annual audit in accordance with generally~~  
 5 44 ~~accepted accounting principles, the provider shall~~  
 5 45 ~~utilize processes which shall be recommended by the~~  
 5 46 ~~auditor of state to identify the provider's direct and~~  
 5 47 ~~indirect costs attributable to the students enrolled~~  
 5 48 ~~in the program.~~

5 49 Sec. 16. Section 261.12, subsection 1, Code 2013,  
 5 50 is amended to read as follows:  
 6 1 1. The amount of a tuition grant to a qualified  
 6 2 full-time student for the fall and spring semesters, or  
 6 3 the trimester equivalent, shall be the amount of the  
 6 4 student's financial need for that period. However, a  
 6 5 tuition grant shall not exceed the ~~lesser of:~~  
 6 6 ~~—a.—~~The total tuition and mandatory fees for that  
 6 7 student for two semesters or the trimester or quarter  
 6 8 equivalent, less the base amount determined annually  
 6 9 by the college student aid commission, which base  
 6 10 amount shall be within ten dollars of the average  
 6 11 tuition for two semesters or the trimester equivalent  
 6 12 of undergraduate study at the state universities under  
 6 13 the board of regents, but in any event the base amount  
 6 14 shall not be less than four hundred dollars; ~~or~~

enrolled in the Program.

DETAIL: Based on preliminary data from the FY 2012 School District Certified Annual Reports (CAR), there were 226 districts that had a Statewide Voluntary Preschool ending fund balance. The combined balances of these districts totals \$23,200,000.

FISCAL IMPACT: These changes have no fiscal impact on the State General Fund.

CODE: Removes the \$4,000 upper limitation on awards under the Iowa Tuition Grant Program. As a result, awards will be limited to an amount equal to the annual undergraduate tuition and fees at a Regents university.

DETAIL: The total amount expended on awards is set in a standing appropriation in statute and will not be affected by the change. The number of awards granted annually could be reduced as a result of the change.

6 15 ~~b. For the fiscal year beginning July 1, 2000, and~~  
 6 16 ~~for each following fiscal year, four thousand dollars.~~

6 17 Sec. 17. Section 261.93, subsection 2, paragraph  
 6 18 b, subparagraph (4), Code 2013, is amended to read as  
 6 19 follows:  
 6 20 (4) Is the child of a fire fighter or police  
 6 21 officer included under section 97B.49B, who was killed  
 6 22 in the line of duty as determined by the Iowa public  
 6 23 employees' retirement system in accordance with section  
 6 24 97B.52, subsection 2.

CODE: Provides that children of a police officer killed in the line of duty, covered under the Protection Occupation class of the Iowa Public Employees Retirement System (IPERS), are added to the list of qualified students for the Iowa Grant Program.

6 25 Sec. 18. Section 523A.303, subsection 1, paragraph  
 6 26 b, unnumbered paragraph 1, Code 2013, is amended to  
 6 27 read as follows:  
 6 28 At least sixty days after mailing notice to the  
 6 29 director, the seller shall disburse any ~~remaining~~  
 6 30 funds amount in excess of five hundred dollars from the  
 6 31 burial trust fund as follows:  
 6 32 Sec. 19. EFFECTIVE UPON ENACTMENT. The following  
 6 33 provision or provisions of this division of this Act,  
 6 34 being deemed of immediate importance, take effect upon  
 6 35 enactment:  
 6 36 1. The sections amending section 256C.4, subsection  
 6 37 1, paragraphs "d", "g", and "h".

CODE: Amends current law relating to funds that remain in a nonguaranteed irrevocable burial trust fund or from the proceeds of an insurance policy or annuity made payable to the seller or a provider (i.e., insurance agent) after the payment of funeral and burial expenses. Under current law, the seller is required to disburse any remaining funds from the burial trust fund to the representative of the deceased. This amendment changes the requirement so that a seller is required to disburse any remaining funds in excess of \$500.

6 38 DIVISION III  
 6 39 CORRECTIVE PROVISIONS

CODE: This Division contains a variety of nonsubstantive statutory corrective provisions to the Iowa Code and the 2013 Iowa Acts. No individual detail is provided but the Legal Services Division of the LSA has reviewed these items and none have a fiscal impact or a substantive impact on policy.

6 40 Sec. 20. Section 2.12, unnumbered paragraph 4, Code  
 6 41 2013, as amended by 2013 Iowa Acts, House File 185,  
 6 42 section 1, is amended to read as follows:  
 6 43 There is appropriated out of any funds in the state  
 6 44 treasury not otherwise appropriated such sums as  
 6 45 may be necessary for the fiscal year budgets of the  
 6 46 legislative services agency and the ~~ombudsman~~ office  
 6 47 of ombudsman for salaries, support, maintenance, and  
 6 48 miscellaneous purposes to carry out their statutory  
 6 49 responsibilities. The legislative services agency  
 6 50 and the ~~ombudsman~~ office of ombudsman shall submit  
 7 1 their proposed budgets to the legislative council not  
 7 2 later than September 1 of each year. The legislative  
 7 3 council shall review and approve the proposed budgets  
 7 4 not later than December 1 of each year. The budget

CODE: Corrective provisions for HF 185 (Title Change for Ombudsman Office).

DETAIL: This Bill was enacted by the General Assembly on March 11, 2013, and signed by the Governor on March 28, 2013.

7 5 approved by the legislative council for each of its  
 7 6 statutory legislative agencies shall be transmitted by  
 7 7 the legislative council to the department of management  
 7 8 on or before December 1 of each year for the fiscal  
 7 9 year beginning July 1 of the following year. The  
 7 10 department of management shall submit the approved  
 7 11 budgets received from the legislative council to the  
 7 12 governor for inclusion in the governor's proposed  
 7 13 budget for the succeeding fiscal year. The approved  
 7 14 budgets shall also be submitted to the chairpersons of  
 7 15 the committees on appropriations. The committees on  
 7 16 appropriations may allocate from the funds appropriated  
 7 17 by this section the funds contained in the approved  
 7 18 budgets, or such other amounts as specified, pursuant  
 7 19 to a concurrent resolution to be approved by both  
 7 20 houses of the general assembly. The director of  
 7 21 the department of administrative services shall  
 7 22 issue warrants for salaries, support, maintenance,  
 7 23 and miscellaneous purposes upon requisition by the  
 7 24 administrative head of each statutory legislative  
 7 25 agency. If the legislative council elects to change  
 7 26 the approved budget for a legislative agency prior to  
 7 27 July 1, the legislative council shall transmit the  
 7 28 amount of the budget revision to the department of  
 7 29 management prior to July 1 of the fiscal year, however,  
 7 30 if the general assembly approved the budget it cannot  
 7 31 be changed except pursuant to a concurrent resolution  
 7 32 approved by the general assembly.

7 33 Sec. 21. Section 2.42, subsection 14, Code 2013, as  
 7 34 amended by 2013 Iowa Acts, House File 185, section 2,  
 7 35 is amended to read as follows:

7 36 14. To hear and act upon appeals of aggrieved  
 7 37 employees of the legislative services agency and the  
 7 38 office of ~~the~~ ombudsman pursuant to rules of procedure  
 7 39 established by the council.

CODE: Corrective provisions for HF 185 (Title Change for Ombudsman Office).

DETAIL: This Bill was enacted by the General Assembly on March 11, 2013, and signed by the Governor on March 28, 2013.

7 40 Sec. 22. Section 2C.3, subsection 2, Code 2013, as  
 7 41 enacted by 2013 Iowa Acts, House File 185, section 4,  
 7 42 is amended to read as follows:

7 43 2. The ombudsman shall employ and supervise all  
 7 44 employees under the ombudsman's direction in such  
 7 45 positions and at such salaries as shall be authorized  
 7 46 by the legislative council. The legislative council  
 7 47 shall hear and act upon appeals of aggrieved employees  
 7 48 of the office of ~~the~~ ombudsman.

CODE: Corrective provisions for HF 185 (Title Change for Ombudsman Office).

DETAIL: This Bill was enacted by the General Assembly on March 11, 2013, and signed by the Governor on March 28, 2013.

7 49 Sec. 23. Section 2C.9, subsection 6, Code 2013, as

CODE: Corrective provisions for HF 185 (Title Change for Ombudsman

7 50 amended by 2013 Iowa Acts, House File 185, section 10,  
 8 1 is amended to read as follows:  
 8 2 6. Establish rules relating to the operation,  
 8 3 organization, and procedure of the office of ~~the~~  
 8 4 ombudsman. The rules are exempt from chapter 17A and  
 8 5 shall be published in the Iowa administrative code.

8 6 Sec. 24. Section 2C.11, subsection 1, unnumbered  
 8 7 paragraph 1, Code 2013, as amended by 2013 Iowa Acts,  
 8 8 House File 185, section 12, is amended to read as  
 8 9 follows:  
 8 10 An appropriate subject for investigation by the  
 8 11 office of ~~the~~ ombudsman is an administrative action  
 8 12 that might be:

8 13 Sec. 25. Section 2C.18, Code 2013, as amended by  
 8 14 2013 Iowa Acts, House File 185, section 20, is amended  
 8 15 to read as follows:  
 8 16 2C.18 REPORT TO GENERAL ASSEMBLY.  
 8 17 The ombudsman shall by April 1 of each year submit  
 8 18 an economically designed and reproduced report to  
 8 19 the general assembly and to the governor concerning  
 8 20 the exercise of the ~~ombudsman~~ ombudsman's functions  
 8 21 during the preceding calendar year. In discussing  
 8 22 matters with which the ombudsman has been concerned,  
 8 23 the ombudsman shall not identify specific persons if  
 8 24 to do so would cause needless hardship. If the annual  
 8 25 report criticizes a named agency or official, it shall  
 8 26 also include unedited replies made by the agency or  
 8 27 official to the criticism, unless excused by the agency  
 8 28 or official affected.

8 29 Sec. 26. Section 8B.21, subsection 5, paragraph e,  
 8 30 if enacted by 2013 Iowa Acts, Senate File 396, section  
 8 31 3, is amended to read as follows:  
 8 32 e. The department of public defense shall not be  
 8 33 required to obtain any information technology services  
 8 34 pursuant to this chapter for the department of public  
 8 35 defense that ~~is~~ are provided by the office pursuant  
 8 36 to this chapter without the consent of the adjutant  
 8 37 general.

8 38 Sec. 27. Section 23A.4, subsection 3, Code 2013, as  
 8 39 enacted by 2013 Iowa Acts, House File 185, section 27,  
 8 40 is amended to read as follows:  
 8 41 3. Chapter 17A and this section are the exclusive  
 8 42 remedy for violations of this chapter. However, the  
 8 43 office of ~~the~~ ombudsman may review violations of this

Office).

DETAIL: This Bill was enacted by the General Assembly on March 11, 2013, and signed by the Governor on March 28, 2013.

CODE: Corrective provisions for HF 185 (Title Change for Ombudsman Office).

DETAIL: This Bill was enacted by the General Assembly on March 11, 2013, and signed by the Governor on March 28, 2013.

CODE: Corrective provisions for HF 185 (Title Change for Ombudsman Office).

DETAIL: This Bill was enacted by the General Assembly on March 11, 2013, and signed by the Governor on March 28, 2013.

CODE: Corrective provisions for SF 396 (Government Efficiency Bill).

DETAIL: This Bill is not yet enacted (as of May 6, 2013).

CODE: Corrective provisions for HF 185 (Title Change for Ombudsman Office).

DETAIL: This Bill was enacted by the General Assembly on March 11, 2013, and signed by the Governor on March 28, 2013.

8 44 chapter and make recommendations as provided in chapter  
8 45 2C.

8 46 Sec. 28. Section 29.1, Code 2013, as amended by  
8 47 2013 Iowa Acts, House File 307, section 9, is amended  
8 48 to read as follows:

8 49 29.1 DEPARTMENT OF PUBLIC DEFENSE.

8 50 The department of public defense is composed of the  
9 1 office of the adjutant general and the military forces  
9 2 of the state of Iowa. The adjutant general is the  
9 3 director of the department of public defense and shall  
9 4 perform all functions, responsibilities, powers, and  
9 5 duties ~~over~~ concerning the military forces of the state  
9 6 of Iowa as provided in the laws of the state.

9 7 Sec. 29. Section 35A.13, subsection 6A, paragraph  
9 8 b, subparagraph (1), if enacted by 2013 Iowa Acts,  
9 9 House File 613, section 2, is amended to read as  
9 10 follows:

9 11 (1) The commission may provide educational  
9 12 assistance funds to any child who has lived in the  
9 13 state of Iowa for two years preceding application for  
9 14 state educational assistance, and who is the child  
9 15 of a person who died prior to September 11, 2001,  
9 16 during active federal military service while serving  
9 17 in the armed forces or during active federal military  
9 18 service in the Iowa national guard or other military  
9 19 component of the United States, to defray the expenses  
9 20 of tuition, matriculation, laboratory and similar  
9 21 fees, books and supplies, board, lodging, and any  
9 22 other reasonably necessary expense for the child or  
9 23 children incident to attendance in this state at an  
9 24 educational or training institution of college grade,  
9 25 or in a business or vocational training school with  
9 26 standards approved by the department. The commission  
9 27 shall not expend more than six hundred dollars per year  
9 28 for educational assistance for any one child under this  
9 29 paragraph "b".

9 30 Sec. 30. Section 70A.28, subsection 6, Code 2013,  
9 31 as amended by 2013 Iowa Acts, House File 185, section  
9 32 28, is amended to read as follows:

9 33 6. Subsection 2 may also be enforced by an employee  
9 34 through an administrative action pursuant to the  
9 35 requirements of this subsection if the employee is not  
9 36 a merit system employee or an employee covered by a  
9 37 collective bargaining agreement. An employee eligible  
9 38 to pursue an administrative action pursuant to this

CODE: Corrective provisions for HF 307 (Establishing the Department of Homeland Security and Emergency Management).

DETAIL: This Bill was enacted by the General Assembly on March 26, 2013, and signed by the Governor on April 5, 2013.

CODE: Corrective provisions for HF 613 (War Orphans Educational Assistance Fund).

DETAIL: This Bill was enacted by the General Assembly on April 22, 2013, and signed by the Governor on May 1, 2013.

CODE: Corrective provisions for HF 185 (Title Change for Ombudsman Office).

DETAIL: This Bill was enacted by the General Assembly on March 11, 2013, and signed by the Governor on March 28, 2013.

9 39 subsection who is discharged, suspended, demoted, or  
 9 40 otherwise receives a reduction in pay and who believes  
 9 41 the adverse employment action was taken as a result  
 9 42 of the employee's disclosure of information that  
 9 43 was authorized pursuant to subsection 2, may file an  
 9 44 appeal of the adverse employment action with the public  
 9 45 employment relations board within thirty calendar days  
 9 46 following the later of the effective date of the action  
 9 47 or the date a finding is issued to the employee by the  
 9 48 office of the ombudsman pursuant to section 2C.11A.  
 9 49 The findings issued by the ombudsman may be introduced  
 9 50 as evidence before the public employment relations  
 10 1 board. The employee has the right to a hearing closed  
 10 2 to the public, but may request a public hearing. The  
 10 3 hearing shall otherwise be conducted in accordance with  
 10 4 the rules of the public employment relations board and  
 10 5 the Iowa administrative procedure Act, chapter 17A. If  
 10 6 the public employment relations board finds that the  
 10 7 action taken in regard to the employee was in violation  
 10 8 of subsection 2, the employee may be reinstated without  
 10 9 loss of pay or benefits for the elapsed period, or  
 10 10 the public employment relations board may provide  
 10 11 other appropriate remedies. Decisions by the public  
 10 12 employment relations board constitute final agency  
 10 13 action.

10 14 Sec. 31. Section 105.10, subsection 3, Code 2013,  
 10 15 as amended by 2013 Iowa Acts, Senate File 427, section  
 10 16 10, is amended to read as follows:

10 17 3. An individual holding a master mechanical  
 10 18 license shall not be required to get an  
 10 19 HVAC-refrigeration, sheet metal, or hydronic license in  
 10 20 order to design, install, or repair the work defined  
 10 21 in this chapter as mechanical, HVAC-refrigeration,  
 10 22 sheet metal, or hydronic work. An individual holding  
 10 23 a ~~journey~~ journeyperson mechanical license shall  
 10 24 not be required to get an HVAC-refrigeration, sheet  
 10 25 metal, or hydronic license in order to install and  
 10 26 repair the work defined in this chapter as mechanical,  
 10 27 HVAC-refrigeration, sheet metal, or hydronic work. An  
 10 28 individual holding a master or ~~journey~~ journeyperson  
 10 29 mechanical license shall also not be required to obtain  
 10 30 a special, restricted license that is designated as a  
 10 31 sublicense of the mechanical, HVAC-refrigeration, sheet  
 10 32 metal, or hydronic licenses.

10 33 Sec. 32. Section 105.32, as enacted by 2013 Iowa  
 10 34 Acts, Senate File 427, section 32, Code 2013, is

CODE: Corrective provisions for SF 427 (Plumbing and Mechanical Licensing Bill).

DETAIL: This Bill was enacted by the General Assembly on April 1, 2013, and signed by the Governor on April 26, 2013.

CODE: Corrective provisions for SF 427 (Plumbing and Mechanical Licensing Bill).

10 35 amended to read as follows:

10 36 105.32 TRANSITION PROVISIONS.

10 37 A licensee whose license expires between June 30,  
10 38 2014, and July 1, 2017, may voluntarily renew ~~their~~  
10 39 the license early so ~~they may have the license has~~ an  
10 40 expiration date of June 30, 2017. This voluntary early  
10 41 renewal may happen at any time on or after July 1,  
10 42 2014. The department shall promulgate rules that allow  
10 43 for this one-time early renewal process, including fees  
10 44 and continuing education requirements.

DETAIL: This Bill was enacted by the General Assembly on April 1, 2013, and signed by the Governor on April 26, 2013.

10 45 Sec. 33. Section 126.11, subsection 3, paragraph  
10 46 b, Code 2013, as amended by 2013 Iowa Acts, House File  
10 47 417, section 26, is amended to read as follows:

CODE: Corrective provisions for HF 417 (Nonsubstantive Code Editor's Bill).

10 48 b. A drug dispensed by filling or refilling a  
10 49 written, electronic, facsimile, or oral prescription  
10 50 of a practitioner licensed by law to administer the  
11 1 drug is exempt from section 126.10, except section  
11 2 126.10, subsection 1, paragraph "a", section 126.10,  
11 3 subsection 1, paragraph "i", subparagraphs (2) and (3),  
11 4 and section 126.10, subsection 1, paragraphs "k" and  
11 5 "l", and the packaging requirements of section 126.10,  
11 6 subsection 1, paragraphs "g", "h", and "p", if the  
11 7 drug bears a label containing the name and address of  
11 8 the dispenser, the date of the prescription or of its  
11 9 filling, the name of the prescriber, and, if stated  
11 10 in the prescription, the name of the patient, and the  
11 11 directions for use and cautionary statements, if any,  
11 12 contained in the prescription. This exemption does  
11 13 not apply to a drug dispensed in the course of the  
11 14 conduct of the business of dispensing drugs pursuant to  
11 15 diagnosis by mail, or to a drug dispensed in violation  
11 16 of paragraph "a" of this subsection.

DETAIL: This Bill was enacted by the General Assembly on March 12, 2013, and signed by the Governor on April 5, 2013.

11 17 Sec. 34. Section 249A.43, subsection 3, as enacted  
11 18 by 2013 Iowa Acts, Senate File 357, section 7, is  
11 19 amended to read as follows:

CODE: Corrective provisions for SF 357 (Medicaid Program Collections and Integrity Policy).

11 20 3. An affidavit of service of a notice of entry  
11 21 of judgment shall be made by first class mail at the  
11 22 address where the debtor was served with the notice  
11 23 of overpayment. Service is completed upon mailing as  
11 24 specified in this ~~paragraph~~ subsection.

DETAIL: This Bill was enacted by the General Assembly on March 19, 2013, and signed by the Governor on April 8, 2013.

11 25 Sec. 35. Section 252D.17, subsection 1, paragraph  
11 26 m, as enacted by 2013 Iowa Acts, House File 417,  
11 27 section 55, Code 2013, is amended to read as follows:  
11 28 ~~m. 2.~~ The department shall establish criteria and  
11 29 a phased-in schedule to require, no later than June

CODE: Corrective provisions for HF 417 (Nonsubstantive Code Editor's Bill).

DETAIL: This Bill was enacted by the General Assembly on March 12, 2013, and signed by the Governor on April 5, 2013.

11 30 30, 2015, payors of income to electronically transmit  
 11 31 the amounts withheld under an income withholding  
 11 32 order. The department shall assist payors of income in  
 11 33 complying with the required electronic transmission,  
 11 34 and shall adopt rules setting forth procedures  
 11 35 for use in electronic transmission of funds, and  
 11 36 exemption from use of electronic transmission taking  
 11 37 into consideration any undue hardship electronic  
 11 38 transmission creates for payors of income.

11 39 Sec. 36. Section 263B.3, Code 2013, as amended by  
 11 40 2013 Iowa Acts, House File 417, section 63, is amended  
 11 41 to read as follows:

11 42 263B.3 AGREEMENTS WITH FEDERAL DEPARTMENTS.

11 43 The state archaeologist is authorized to enter into  
 11 44 agreements and cooperative efforts with the federal  
 11 45 highway administrator, the United States departments  
 11 46 of commerce, interior, agriculture, and defense,  
 11 47 and any other federal or state agencies concerned  
 11 48 with archaeological salvage or the preservation of  
 11 49 antiquities.

11 50 Sec. 37. Section 321.463, subsection 12A,  
 12 1 paragraphs a and c, as enacted by 2013 Iowa Acts, House  
 12 2 File 14, section 1, are amended to read as follows:

12 3 a. A person operating a vehicle or combination of  
 12 4 vehicles equipped with a retractable axle may raise the  
 12 5 axle when necessary to negotiate a turn, provided that  
 12 6 the retractable axle is lowered within one thousand  
 12 7 feet following completion of the turn. This paragraph  
 12 8 does not apply to a vehicle or combination of vehicles  
 12 9 operated on an interstate highway, including a ramp to  
 12 10 or from an interstate highway, or on a bridge.

12 11 c. This subsection does not prohibit the operation  
 12 12 of a vehicle or combination of vehicles equipped with  
 12 13 a retractable axle ~~from operating~~ with the retractable  
 12 14 axle raised when the vehicle or combination of vehicles  
 12 15 is in compliance with the weight limitations of this  
 12 16 section with the retractable axle raised.

12 17 Sec. 38. Section 321E.9A, subsection 1, Code 2013,  
 12 18 as amended by 2013 Iowa Acts, Senate File 355, section  
 12 19 7, is amended to read as follows:

12 20 1. Vehicles with indivisible loads having an  
 12 21 overall length not to exceed one hundred twenty feet,  
 12 22 an overall width not to exceed sixteen feet, and a  
 12 23 height not to exceed fifteen feet five inches may  
 12 24 be moved on highways specified by the ~~permitting~~

CODE: Corrective provisions for HF 417 (Nonsubstantive Code Editor's Bill).

DETAIL: This Bill was enacted by the General Assembly on March 12, 2013, and signed by the Governor on April 5, 2013.

CODE: Corrective provisions for HF 14 (Weight Limitations for Vehicles with Retractable Axles).

DETAIL: This Bill was enacted by the General Assembly on March 27, 2013, and signed by the Governor on April 5, 2013.

CODE: Corrective provisions for SF 355 (Vehicles of Excessive Size and Weight).

DETAIL: This Bill was enacted by the General Assembly on April 9, 2013, and signed by the Governor on April 24, 2013.

12 25 permit-issuing authority, provided the gross weight on  
 12 26 any one axle shall not exceed the maximum prescribed  
 12 27 in section 321.463 and the total gross weight is not  
 12 28 greater than one hundred fifty-six thousand pounds.

12 29 Sec. 39. Section 327F.39, subsection 6, paragraph  
 12 30 b, if enacted by 2013 Iowa Acts, Senate File 340,  
 12 31 section 4, is amended to read as follows:  
 12 32 b. A violation of subsection 4A or rules adopted  
 12 33 pursuant to subsection 4A by a railroad worker  
 12 34 transportation company or a railroad ~~corporation~~  
 12 35 company is punishable as a schedule "one" penalty under  
 12 36 section 327C.5.

12 37 Sec. 40. Section 418.5, subsection 1, Code 2013, as  
 12 38 amended by 2013 Iowa Acts, House File 307, section 51,  
 12 39 is amended to read as follows:  
 12 40 1. The flood mitigation board is established  
 12 41 consisting of nine voting members and four ex officio,  
 12 42 nonvoting members, and is located for administrative  
 12 43 purposes within the ~~division~~ department. The director  
 12 44 of the department shall provide office space, staff  
 12 45 assistance, and necessary supplies and equipment for  
 12 46 the board. The director shall budget funds to pay the  
 12 47 necessary expenses of the board. In performing its  
 12 48 functions, the board is performing a public function  
 12 49 on behalf of the state and is a public instrumentality  
 12 50 of the state.

13 1 Sec. 41. Section 426A.11, subsection 1, Code 2013,  
 13 2 as amended by 2013 Iowa Acts, House File 417, section  
 13 3 97, is amended to read as follows:  
 13 4 1. The property, not to exceed two thousand seven  
 13 5 hundred seventy-eight dollars in taxable value of any  
 13 6 veteran, as defined in section 35.1, of ~~the~~ World War  
 13 7 I.

13 8 Sec. 42. Section 455B.275, subsection 3A,  
 13 9 paragraphs a and b, if enacted by 2013 Iowa Acts, House  
 13 10 File 541, section 1, are amended to read as follows:  
 13 11 a. The person reconstructing the dam is only  
 13 12 required to possess the flooding easements or ownership  
 13 13 which ~~were~~ was held prior to the reconstruction as long  
 13 14 as the former normal pool elevation is not exceeded and  
 13 15 the spillway capacity is increased by at least fifty  
 13 16 percent.  
 13 17 b. Flooding easements or ownership ~~are~~ is only  
 13 18 required to the top of the reconstructed spillway

CODE: Corrective provisions for SF 340 (Rail Crew Transport Drivers).

DETAIL: This Bill was enacted by the General Assembly on April 9, 2013, and signed by the Governor on April 24, 2013.

CODE: Corrective provisions for HF 307 (Establishing the Department of Homeland Security and Emergency Management).

DETAIL: This Bill was enacted by the General Assembly on March 26, 2013, and signed by the Governor on April 5, 2013.

CODE: Corrective provisions for HF 417 (Nonsubstantive Code Editor's Bill).

DETAIL: This Bill was enacted by the General Assembly on March 12, 2013, and signed by the Governor on April 5, 2013.

CODE: Corrective provisions for HF 541 (Dam Reconstruction Standards).

DETAIL: This Bill was enacted by the General Assembly on April 9, 2013, and signed by the Governor on April 24, 2013.

13 19 elevation.

13 20 Sec. 43. Section 490.863, subsection 3, paragraph

13 21 a, as enacted by 2013 Iowa Acts, House File 469,

13 22 section 43, is amended to read as follows:

13 23 a. "Holder" means and "held by" refers to shares

13 24 held by both a record shareholder, as defined in

13 25 section 490.1301, subsection 7, and a beneficial

13 26 shareholder, as defined in section 490.1301, subsection

13 27 2.

CODE: Corrective provisions for HF 469 (Business Corporations).

DETAIL: This Bill was enacted by the General Assembly on March 20, 2013, and signed by the Governor on April 5, 2013.

13 28 Sec. 44. Section 490.1302, subsection 2, paragraph

13 29 d, Code 2013, as amended by 2013 Iowa Acts, House File

13 30 469, section 53, is amended to read as follows:

13 31 d. Paragraph "a"; shall not be applicable and

13 32 appraisal rights shall be available pursuant to

13 33 subsection 1 for the holders of any class or series

13 34 of shares where the corporate action is an interested

13 35 transaction.

CODE: Corrective provisions for HF 469 (Business Corporations).

DETAIL: This Bill was enacted by the General Assembly on March 20, 2013, and signed by the Governor on April 5, 2013.

13 36 Sec. 45. Section 522.6, subsection 2, if enacted by

13 37 2013 Iowa Acts, Senate File 189, section 6, is amended

13 38 to read as follows:

13 39 2. If an insurer qualifies for exemption from the

13 40 requirements of this chapter pursuant to paragraph "a"

13 41 of subsection 1, but the insurance group of which the

13 42 insurer is a member does not qualify for exemption

13 43 pursuant to paragraph "b" of subsection 1, then the

13 44 own risk and solvency assessment summary report that

13 45 is required pursuant to section ~~524H.5~~ 522.5 shall

13 46 include information concerning every insurer in the

13 47 insurance group. This requirement may be satisfied by

13 48 the submission of more than one summary report for any

13 49 combination of insurers in the insurance group provided

13 50 that the combination of reports submitted includes

14 1 every insurer in the insurance group.

CODE: Corrective provisions for SF 189 (Risk Management Framework for Insurers and Insurance Groups).

DETAIL: This Bill was enacted by the General Assembly on April 8, 2013, and signed by the Governor on April 24, 2013.

14 2 Sec. 46. Section 533.405, subsection 4A, paragraph

14 3 b, subparagraphs (1) and (2), as enacted by 2013 Iowa

14 4 Acts, Senate File 183, section 8, are amended to read

14 5 as follows:

14 6 (1) State credit unions with assets in excess of \$5

14 7 five million dollars as of the month ending immediately

14 8 prior to the date of the conclusion of the vote by the

14 9 membership approving the dissolution shall publish

14 10 the notice once a week for two successive weeks in a

14 11 newspaper of general circulation in each county in

14 12 which the state credit union maintains an office or

CODE: Corrective provisions for SF 183 (Credit Union Division of the Department of Commerce).

DETAIL: This Bill was enacted by the General Assembly on March 12, 2013, and signed by the Governor on April 8, 2013.

14 13 branch for the transaction of business.  
14 14 (2) State credit unions with assets of \$5 five  
14 15 million dollars or less as of the month ending  
14 16 immediately prior to the date of the conclusion of  
14 17 the vote by the membership approving the dissolution  
14 18 shall publish the notice once in a newspaper of general  
14 19 circulation in each county in which the state credit  
14 20 union maintains an office or branch.

14 21 Sec. 47. Section 543C.2, subsection 1, paragraph j,  
14 22 if enacted by 2013 Iowa Acts, House File 556, section  
14 23 167, is amended to read as follows:

14 24 j. The subdivider, if a corporation, must register  
14 25 to do business in the state of Iowa as a foreign  
14 26 corporation with the secretary of state and furnish a  
14 27 copy of the certificate of authority to do business  
14 28 in the state of Iowa. If not a corporation, the  
14 29 subdivider must comply with the provisions of chapter  
14 30 547, by filing a proper trade name with the Polk  
14 31 county recorder. The provisions of this ~~subsection~~  
14 32 paragraph shall also apply to any person, partnership,  
14 33 firm, company, corporation, or association, other than  
14 34 the subdivider, which is engaged by or through the  
14 35 subdivider for the purpose of advertising or selling  
14 36 the land involved in the filing.

CODE: Corrective provisions for HF 556 (Substantive Code Editor's Bill).

DETAIL: This Bill was enacted by the General Assembly on April 9, 2013, and signed by the Governor on May, 2013.

14 37 Sec. 48. Section 556.2, subsection 5, paragraph a,  
14 38 unnumbered paragraph 1, as enacted by 2013 Iowa Acts,  
14 39 House File 417, section 174, is amended to read as  
14 40 follows:

14 41 A banking organization or financial organization  
14 42 shall send to the owner of each account, to which none  
14 43 of the actions specified in subsection ~~2~~ 1, paragraphs  
14 44 "a" through "e" or subsection 2, paragraphs "a" through  
14 45 "e" have occurred during the preceding three calendar  
14 46 years, a notice by certified mail stating in substance  
14 47 the following:

CODE: Corrective provisions for HF 417 (Nonsubstantive Code Editor's Bill).

DETAIL: This Bill was enacted by the General Assembly on March 12, 2013, and signed by the Governor on April 5, 2013.

14 48 Sec. 49. Section 716.7, subsection 1, as amended  
14 49 by 2013 Iowa Acts, House File 556, section 234, if  
14 50 enacted, is amended to read as follows:

15 1 1. For purposes of this section:  
15 2 a. "Property" shall include any land, dwelling,  
15 3 building, conveyance, vehicle, or other temporary or  
15 4 permanent structure whether publicly or privately  
15 5 owned.  
15 6 b. "Public utility" is a public utility as defined  
15 7 in section 476.1 or an electric transmission line as

CODE: Corrective provisions for HF 556 (Substantive Code Editor's Bill).

DETAIL: This Bill was enacted by the General Assembly on April 9, 2013, and signed by the Governor on May 1, 2013.

15 8 provided in chapter 478.

15 9 ~~—b. c.~~ “Public utility property” means any land,  
 15 10 dwelling, building, conveyance, vehicle, or other  
 15 11 temporary or permanent structure owned, leased, or  
 15 12 operated by a public utility and that is completely  
 15 13 enclosed by a physical barrier of any kind. ~~For~~  
 15 14 ~~the purposes of this section, a “public utility” is~~  
 15 15 ~~a public utility as defined in section 476.1 or an~~  
 15 16 ~~electric transmission line as provided in chapter 478.~~  
 15 17 ~~—e. d.~~ “Railway corporation” means a corporation,  
 15 18 company, or person owning, leasing, or operating any  
 15 19 railroad in whole or in part within this state.  
 15 20 ~~—d. e.~~ “Railway property” means all tangible real  
 15 21 and personal property owned, leased, or operated  
 15 22 by a railway corporation with the exception of any  
 15 23 administrative building or offices of the railway  
 15 24 corporation.

15 25 Sec. 50. Section 724.2, subsection 1, paragraph i,  
 15 26 if enacted by 2013 Iowa Acts, House File 556, section  
 15 27 206, is amended to read as follows:

15 28 i. A nonresident who possesses an offensive weapon  
 15 29 which is a curio or relic firearm under the federal  
 15 30 Firearms Act, 18 U.S.C. ch.44, solely for use in  
 15 31 official functions in this state of a historical  
 15 32 reenactment organization of which the person is a  
 15 33 member, if the offensive weapon is legally possessed  
 15 34 by the person in the person’s state of residence and  
 15 35 the offensive weapon is at all times while in this  
 15 36 state rendered incapable of firing live ammunition. A  
 15 37 nonresident who possesses an offensive weapon under  
 15 38 this ~~subsection~~ paragraph while in this state shall  
 15 39 not have in the person’s possession live ammunition.  
 15 40 The offensive weapon may, however, be adapted for the  
 15 41 firing of blank ammunition.

CODE: Corrective provisions for HF 556 (Substantive Code Editor's Bill).

DETAIL: This Bill was enacted by the General Assembly on April 9, 2013, and signed by the Governor on May 1, 2013.

15 42 Sec. 51. 2013 Iowa Acts, House File 556, section  
 15 43 257, subsection 3, if enacted, is amended by adding the  
 15 44 following new subsection:  
 15 45 NEW SUBSECTION 12. The Code editor is directed  
 15 46 to change any terminology that references a web site,  
 15 47 websites, the internet, and internet site, or internet  
 15 48 sites in any Act enacted during the 2013 regular  
 15 49 session of the Eighty-fifth General Assembly in the  
 15 50 same manner as that terminology is changed in this  
 16 1 section of this Act.

CODE: Corrective provisions for HF 556 (Substantive Code Editor's Bill).

DETAIL: This Bill was enacted by the General Assembly on April 9, 2013, and signed by the Governor on May 1, 2013.

16 2 Sec. 52. 2013 Iowa Acts, House File 607, section

CODE: Corrective provisions for HF 607 (Ag Development Authority

16 3 29, subsection 3, if enacted, is amended to read as	Transfer Bill).
16 4 follows:	
16 5 3. The department of agriculture and land	
16 6 stewardship or the office of attorney general acting	
16 7 on behalf of the agricultural development authority in	
16 8 an administrative or judicial proceeding shall not be	
16 9 affected as a result of this Act. Any <del>statue</del> <u>statute</u>	
16 10 of limitation shall apply to the parties as if this Act	
16 11 had not been enacted.	
16 12 Sec. 53. 2013 Iowa Acts, House File 607, section	CODE: Corrective provisions for HF 607 (Ag Development Authority
16 13 34, if enacted, is amended to read as follows:	Transfer Bill).
16 14 SEC. 34. ADMINISTRATION OF ONGOING PROGRAMS. The	
16 15 Iowa finance authority shall complete the	
16 16 administration of ongoing programs of the agricultural	
16 17 development authority as provided in chapter 175, to	
16 18 the extent that the administration of those programs	
16 19 <del>are is</del> in progress on the effective date of <u>this</u>	
16 20 <u>division</u> of this Act. The Iowa finance authority shall	
16 21 assume all rights and obligations of the agricultural	
16 22 development authority to the extent that moneys have	
16 23 been committed, obligations incurred, or rights accrued	
16 24 prior to the effective date of <u>this division</u> of this	
16 25 Act. Moneys owing due to the rights and obligations of	
16 26 the agricultural development authority and assumed by	
16 27 the Iowa finance authority shall be paid as directed by	
16 28 the Iowa finance authority.	
16 29 Sec. 54. 2013 Iowa Acts, House File 607, section	CODE: Corrective provisions for HF 607 (Ag Development Authority
16 30 35, subsection 1, if enacted, is amended to read as	Transfer Bill).
16 31 follows:	
16 32 1. The assets and liabilities of the former	
16 33 Iowa rural rehabilitation corporation assumed by	
16 34 the agricultural development authority pursuant to	
16 35 section 175.28 shall be transferred to the Iowa finance	
16 36 authority on the effective date of <u>this division</u> of	
16 37 this Act. On such effective date, the Iowa finance	
16 38 authority shall be the successor in interest to	
16 39 the agreements in effect between the United States	
16 40 government and the agricultural development authority	
16 41 on behalf of this state.	
16 42 Sec. 55. 2013 Iowa Acts, Senate File 427, section	CODE: Corrective provisions for SF 427 (Plumbing and Mechanical
16 43 35, is amended to read as follows:	Licensing Bill).
16 44 SEC. 35 ADMINISTRATIVE RULES. The department	
16 45 <u>of public health</u> shall adopt all initial rules,	DETAIL: This Bill was enacted by the General Assembly on April 1,
16 46 and amendments to existing rules, necessary for the	2013, and signed by the Governor on April 26, 2013.
16 47 implementation of this Act.	

<p>16 48 Sec. 56. REPEAL. 2013 Iowa Acts, House File 417,  16 49 section 34, and 2013 Iowa Acts, House File 556, section  16 50 27, if enacted, are repealed.</p> <p>17 1 Sec. 57. REPEAL. 2013 Iowa Acts, House File 469,  17 2 sections 83 and 84, are repealed.</p> <p>17 3 Sec. 58. CONTINGENT REPEAL. If 2013 Iowa Acts,  17 4 House File 575, section 12, is enacted, 2013 Iowa Acts,  17 5 House File 417, section 93, is repealed.</p> <p>17 6  17 7</p> <p>17 8 Sec. 59. NEW SECTION 6A.15 PROPERTY ON STATE  17 9 HISTORIC REGISTRY.  17 10 1. Property listed on the state register of  17 11 historic places maintained by the historical division  17 12 of the department of cultural affairs shall not be  17 13 removed from the register solely for the purpose of  17 14 allowing acquisition of the property by condemnation,  17 15 unless such condemnation is undertaken by the  17 16 department of transportation.  17 17 2. Property listed on the state register of  17 18 historic places maintained by the historical division  17 19 of the department of cultural affairs shall not be  17 20 condemned by the state or a political subdivision  17 21 unless a joint resolution authorizing commencement of  17 22 the condemnation proceedings is approved by a vote of  17 23 at least two-thirds of the members of both chambers  17 24 of the general assembly and signed by the governor.  17 25 The approval requirements of this subsection shall not  17 26 apply to condemnation undertaken by the department of  17 27 transportation.</p> <p>17 28 Sec. 60. Section 6A.19, Code 2013, is amended to  17 29 read as follows:  17 30 6A.19 INTERPRETATIVE CLAUSE.  17 31 A grant in this chapter of right to take private  17 32 property for a public use shall not be construed as  17 33 limiting a like grant elsewhere in the Code for another  17 34 and different use. <u>Unless specifically provided by</u>  17 35 <u>law, this chapter shall not be construed to limit or</u>  17 36 <u>otherwise affect the application of chapters 478 and</u>  17 37 <u>479 to the eminent domain authority of the utilities</u>  17 38 <u>division of the department of commerce.</u></p>	<p>Section 34 of HF 417 (Nonsubstantive Code Editor's Bill) and Section 27 of HF 556 (Substantive Code Editor's Bill), if enacted, are repealed.</p> <p>Sections 83 and 84 of HF 469 (Business Corporations), are repealed.</p> <p>Repeals Section 93 of HF 417 (Nonsubstantive Code Editor's Bill), if Section 12 of HF 575 (Department of Revenue Technical Bill) is enacted.</p> <p>DIVISION IV  EMINENT DOMAIN</p> <p>CODE: Makes changes to eminent domain procedures in the Department of Cultural Affairs and includes:</p> <ul style="list-style-type: none"> <li>• Prohibits condemnation of property listed on the State Register of Historic Places unless the condemnation is by the Department of Transportation.</li> <li>• The State or a political subdivision cannot condemn land on the State Register of Historic Places unless authorized by a vote of two-thirds of each chamber in the General Assembly and the Governor's signature.</li> </ul> <p>CODE: Specifies changes to eminent domain do not apply to the Utilities Division in the Department of Commerce for projects in Chapter 478 (Electric Transmission Lines) and for Chapter 479 (Pipelines and Underground Pipes) unless specified by law.</p>
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17 39 Sec. 61. Section 6A.22, subsection 2, paragraph  
 17 40 c, subparagraph (1), Code 2013, is amended to read as  
 17 41 follows:

17 42 (1) (a) If private property is to be condemned for  
 17 43 development or creation of a lake, only that number  
 17 44 of acres justified as reasonable and necessary for  
 17 45 a surface drinking water source, and not otherwise  
 17 46 acquired, may be condemned. In addition, the acquiring  
 17 47 agency shall conduct a review of prudent and feasible  
 17 48 alternatives to provision of a drinking water source  
 17 49 prior to making a determination that such lake  
 17 50 development or creation is reasonable and necessary.

18 1 Development or creation of a lake as a surface drinking  
 18 2 water source includes all of the following:

18 3 (i) Construction of the dam, including sites for  
 18 4 suitable borrow material and the auxiliary spillway.

18 5 (ii) The water supply pool.

18 6 (iii) The sediment pool.

18 7 (iv) The flood control pool.

18 8 (v) The floodwater retarding pool.

18 9 (vi) The surrounding area upstream of the dam  
 18 10 no higher in elevation than the top of the dam's  
 18 11 elevation.

18 12 (vii) The appropriate setback distance required  
 18 13 by state or federal laws and regulations to protect  
 18 14 drinking water supply.

18 15 (b) For purposes of this subparagraph (1), "number  
 18 16 of acres justified as reasonable and necessary for  
 18 17 a surface drinking water source" means according to  
 18 18 guidelines of the United States natural resource  
 18 19 conservation service and according to analyses of  
 18 20 ~~surface~~ drinking water capacity needs conducted  
 18 21 by one or more registered professional engineers.  
 18 22 The registered professional engineers may, if  
 18 23 appropriate, employ standards or guidelines other  
 18 24 than the guidelines of the United States natural  
 18 25 resource conservation service when determining the  
 18 26 number of acres justified as reasonable and necessary  
 18 27 for a surface drinking water source. The data and  
 18 28 information used by the registered professional  
 18 29 engineers shall include data and information relating  
 18 30 to population and commercial enterprise activity for  
 18 31 the area from the two most recent federal decennial  
 18 32 censuses unless the district court of the county in  
 18 33 which the property is situated has determined by a  
 18 34 preponderance of the evidence that such data would  
 18 35 not accurately predict the population and commercial  
 18 36 enterprise activity of the area in the future.

CODE: Specifies that private property condemned for a lake creation project can only be for a reasonable number of acres that will be used as a drinking water source. Prior to the condemnation, the acquiring agency will conduct a review to determine if there are other feasible alternatives to the condemnation. Specifies the types of drinking water projects. Further specifies the reasonable number of acres will be calculated by:

- Using guidelines from the federal Natural Resource Conservation Services.
- A registered engineer can use census data that includes population and commercial activity unless the District Court of the county where the property is located determines the data will not accurately predict the reasonable number of acres.

18 37  (c) A second review or analysis of the drinking  
 18 38  water capacity needs shall be performed upon receipt  
 18 39  by the acquiring agency of a petition signed by not  
 18 40  less than twenty-five percent of the affected property  
 18 41  owners. The registered professional engineer to  
 18 42  perform the second review or analysis shall be selected  
 18 43  by a committee appointed by the affected property  
 18 44  owners and whose membership is comprised of at least  
 18 45  fifty percent property owners affected by the proposed  
 18 46  condemnation action. The acquiring agency shall be  
 18 47  responsible for paying the fees and expenses of such  
 18 48  an engineer.

18 49  (d) If private property is to be condemned for  
 18 50  development or creation of a lake, the plans, analyses,  
 19 1  applications, including any application for funding,  
 19 2  and other planning activities of the acquiring agency  
 19 3  shall not include or provide for the use of the lake  
 19 4  for recreational purposes.

19 5 Sec. 62. Section 6B.54, subsection 10, paragraph  
 19 6 a, Code 2013, is amended by adding the following new  
 19 7 subparagraph:  
 19 8 NEW SUBPARAGRAPH (3) Reasonable attorney fees and  
 19 9 reasonable costs not to exceed one hundred thousand  
 19 10 dollars, attributable to a determination that the  
 19 11 creation of a lake through condemnation includes a  
 19 12 future recreational use or that a violation of section  
 19 13 6A.22, subsection 2, paragraph "c", subparagraph (1),  
 19 14 subparagraph division (d), has occurred, if such fees  
 19 15 and costs are not otherwise provided under section  
 19 16 6B.33.

CODE: Specifies the landowner can be reimbursed for up to \$100,000 in attorney fees for a lake creation project that uses condemnation.

19 17 Sec. 63. NEW SECTION 6B.56B DISPOSITION OF  
 19 18 CONDEMNED PROPERTY — TWO-YEAR TIME PERIOD.  
 19 19 1. When two years have elapsed since property  
 19 20 was condemned for the creation of a lake according  
 19 21 to the requirements of section 6A.22, subsection 2,  
 19 22 paragraph "c", subparagraph (1), and the property has  
 19 23 not been used for or construction has not progressed  
 19 24 substantially from the date the property was condemned  
 19 25 for the purpose stated in the application filed  
 19 26 pursuant to section 6B.3, and the acquiring agency has  
 19 27 not taken action to dispose of the property pursuant  
 19 28 to section 6B.56, the acquiring agency shall, within  
 19 29 sixty days, adopt a resolution offering the property  
 19 30 for sale to the prior owner at a price as provided in  
 19 31 section 6B.56. If the resolution adopted approves an  
 19 32 offer of sale to the prior owner, the offer shall be

CODE: States procedures for the return of land that has been condemned for a lake creation project when the property has not been used within a two-year time period.

19 33 made in writing and mailed by certified mail to the  
 19 34 prior owner. The prior owner has one hundred eighty  
 19 35 days after the offer is mailed to purchase the property  
 19 36 from the acquiring agency.

19 37 2. If the acquiring agency has not adopted a  
 19 38 resolution described in subsection 1 within the  
 19 39 sixty-day time period, the prior owner may, in writing,  
 19 40 petition the acquiring agency to offer the property  
 19 41 for sale to the prior owner at a price as provided in  
 19 42 section 6B.56. Within sixty days after receipt of  
 19 43 such a petition, the acquiring agency shall adopt a  
 19 44 resolution described in subsection 1. If the acquiring  
 19 45 agency does not adopt such a resolution within sixty  
 19 46 days after receipt of the petition, the acquiring  
 19 47 agency is deemed to have offered the property for sale  
 19 48 to the prior owner.

19 49 3. The acquiring agency shall give written notice  
 19 50 to the owner of the right to purchase the property  
 20 1 under this section at the time damages are paid to the  
 20 2 owner.

20 3 Sec. 64. Section 403.7, subsection 1, unnumbered  
 20 4 paragraph 1, Code 2013, is amended to read as follows:

20 5 A municipality shall have the right to acquire by  
 20 6 condemnation any interest in real property, including a  
 20 7 fee simple title thereto, which it may deem necessary  
 20 8 for or in connection with an urban renewal project  
 20 9 under this chapter, subject to the limitations on  
 20 10 eminent domain authority in ~~chapter~~ chapters 6A and 6B.  
 20 11 However, a municipality shall not condemn agricultural  
 20 12 land included within an economic development area  
 20 13 for any use unless the owner of the agricultural land  
 20 14 consents to condemnation or unless the municipality  
 20 15 determines that the land is necessary or useful for any  
 20 16 of the following:

20 17 Sec. 65. **NEW SECTION** 423B.11 **USE OF REVENUES** —  
 20 18 **LIMITATION.**

20 19 The revenue raised by a local sales and services  
 20 20 tax imposed under this chapter by a county shall not  
 20 21 be expended for any purpose related to a project that  
 20 22 includes the condemnation of private property for  
 20 23 the creation of a lake according to the requirements  
 20 24 of section 6A.22, subsection 2, paragraph “c”,  
 20 25 subparagraph (1), if the local sales and services tax  
 20 26 has not been approved at election in the area where the  
 20 27 property to be condemned is located.

CODE: Specifies a municipality must follow condemnation and eminent domain procedures for urban renewal projects.

CODE: Specifies a county cannot use money raised by a local sales tax for a lake creation project if not approved at election in the area where the property being condemned is located.

20 28 Sec. 66. Section 455A.5, Code 2013, is amended by  
 20 29 adding the following new subsection:  
 20 30 NEW SUBSECTION 7. The authority granted to the  
 20 31 commission to acquire real property for purposes  
 20 32 of carrying out a duty related to development or  
 20 33 maintenance of the recreation resources of the state,  
 20 34 including planning, acquisition, and development of  
 20 35 recreational projects, and areas and facilities related  
 20 36 to such projects, shall not include the authority to  
 20 37 acquire real property by eminent domain.

20 38 Sec. 67. Section 456A.24, subsection 2, unnumbered  
 20 39 paragraph 1, Code 2013, is amended to read as follows:  
 20 40 Acquire by purchase, ~~condemnation~~, lease, agreement,  
 20 41 gift, and devise lands or waters suitable for the  
 20 42 purposes hereinafter enumerated, and rights-of-way  
 20 43 thereto, and to maintain the same for the following  
 20 44 purposes, ~~to-wit~~:  
 20 45 Sec. 68. Section 456A.24, Code 2013, is amended by  
 20 46 adding the following new subsection:  
 20 47 NEW SUBSECTION 15. The authority granted the  
 20 48 department to acquire real property for any statutory  
 20 49 purpose relating to the development or maintenance  
 20 50 of the recreation resources of the state, including  
 21 1 planning, acquisition, and development of recreational  
 21 2 projects, and areas and facilities related to such  
 21 3 projects, shall not include the authority to acquire  
 21 4 real property by eminent domain.

21 5 Sec. 69. Section 461A.7, Code 2013, is amended to  
 21 6 read as follows:  
 21 7 ~~461A.7-EMINENT DOMAIN PURCHASE OF LANDS — PUBLIC~~  
 21 8 PARKS .  
 21 9 The commission may purchase ~~or condemn~~ lands from  
 21 10 willing sellers for public parks. ~~No~~ A contract for  
 21 11 the purchase of such public parks shall not be made to  
 21 12 an amount in excess of funds appropriated therefor by  
 21 13 the general assembly.

21 14 Sec. 70. Section 461A.10, Code 2013, is amended to  
 21 15 read as follows:  
 21 16 461A.10 TITLE TO LANDS.  
 21 17 The title to all lands purchased, ~~condemned~~, or  
 21 18 donated; hereunder, for park ~~or highway~~ purposes and  
 21 19 the title to all lands purchased, condemned, or donated  
 21 20 hereunder for highway purposes, shall be taken in the  
 21 21 name of the state and if thereafter it shall be deemed  
 21 22 advisable to sell any portion of the land so purchased  
 21 23 or condemned, the proceeds of such sale shall be placed  
 21 24 to the credit of the ~~said~~ public state parks fund to be

CODE: Specifies the Natural Resource Commission in the Department of Natural Resources (DNR) cannot acquire land using eminent domain.

CODE: Specifies the DNR cannot use condemnation or eminent domain to acquire land. This includes land for public parks.

21 25 used for such park purposes.  
 21 26 Sec. 71. Section 463C.8, subsection 1, paragraph k,  
 21 27 Code 2013, is amended to read as follows:  
 21 28 k. The power to acquire, own, hold, administer,  
 21 29 and dispose of property, except that such power is not  
 21 30 a grant of authority to acquire property by eminent  
 21 31 domain.

21 32 Sec. 72. REPEAL. Sections 461A.9 and 461A.75, Code  
 21 33 2013, are repealed.

21 34 Sec. 73. SEVERABILITY. If any provision of this  
 21 35 Act is held invalid, the invalidity shall not affect  
 21 36 other provisions or applications of this Act which can  
 21 37 be given effect without the invalid provision, and to  
 21 38 this end the provisions of this Act are severable as  
 21 39 provided in section 4.12.

21 40 Sec. 74. EFFECTIVE UPON ENACTMENT. This division  
 21 41 of this Act, being deemed of immediate importance,  
 21 42 takes effect upon enactment.

21 43 Sec. 75. APPLICABILITY. Except as otherwise  
 21 44 provided in this division of this Act, this division  
 21 45 of this Act applies to projects or condemnation  
 21 46 proceedings pending or commenced on or after the  
 21 47 effective date of this Act.

21 48 Sec. 76. RETROACTIVE APPLICABILITY.  
 21 49 Notwithstanding any provision of law to the contrary,  
 21 50 the following provision or provisions of this division  
 22 1 of this Act apply retroactively to projects or  
 22 2 condemnation proceedings pending or commenced on or  
 22 3 after February 15, 2013:  
 22 4 1. The section amending section 6A.22.  
 22 5 2. The section enacting section 6B.56B.

22 6 DIVISION V  
 22 7 APPORTIONMENT OF TRANSPORTATION FUNDS — APPROPRIATION

22 8 Sec. 77. Section 312.3, subsection 2, Code 2013, is  
 22 9 amended by adding the following new paragraph:  
 22 10 NEW PARAGRAPH d. For purposes of apportioning  
 22 11 among the cities of the state the percentage of  
 22 12 the road use tax fund to be credited to the street  
 22 13 construction fund of the cities for each month  
 22 14 beginning March 2011 and ending March 2021 pursuant to  
 22 15 this subsection, the population of each city shall be  
 22 16 determined by the greater of the population of the city  
 22 17 as of the last preceding certified federal census or  
 22 18 as of the April 1, 2010, population estimates base as

CODE: Repeals Iowa Code sections related to using condemnation for public lands and for water recreational projects.

Specifies that this Division is effective on enactment and applies to projects that are pending or commenced on enactment date. Further specifies projects that are retroactive.

CODE: Incorporates changes made to base population estimates determined by the U.S. Census Bureau for the period beginning March 2011 and ending March 2021, for the purpose of distributing Street Construction Funds to cities.

FISCAL IMPACT: The Street Construction Fund receives an annual allocation from the Road Use Tax Fund for distribution to cities on a per capita basis. This provision will not significantly change the distribution of funds between cities. The base population estimates were changed by 597 persons since the last census.

22 19 determined by the United States census bureau.

22 20 Sec. 78. STREET CONSTRUCTION FUND — APPROPRIATION.

22 21 1. In a written application to the treasurer of  
22 22 state submitted by October 1, 2013, a city may request  
22 23 an additional distribution of moneys to be credited  
22 24 to the street construction fund of the city equal to  
22 25 that additional amount, calculated by the treasurer,  
22 26 that the city would have received if the funds were  
22 27 apportioned based upon the population of the city as  
22 28 determined by section 312.3, subsection 2, paragraph  
22 29 "d", as enacted in this division of this Act, for the  
22 30 months prior to the effective date of this division of  
22 31 this Act.

22 32 2. Upon determination by the treasurer of state  
22 33 that an additional amount should be credited to a city  
22 34 as provided by this section, there is appropriated from  
22 35 the general fund of the state to the department of  
22 36 transportation, for the fiscal year beginning July 1,  
22 37 2013, and ending June 30, 2014, an amount sufficient to  
22 38 pay the additional amount which shall be distributed to  
22 39 the city for deposit in the street construction fund  
22 40 of the city.

22 41 Sec. 79. EFFECTIVE UPON ENACTMENT. This division  
22 42 of this Act, being deemed of immediate importance,  
22 43 takes effect upon enactment.

22 44 Sec. 80. RETROACTIVE APPLICABILITY. This division  
22 45 of this Act applies retroactively to April 2011.

22 46 DIVISION VI  
22 47 INSURANCE PRODUCERS

22 48 Sec. 81. Section 522B.1, Code 2013, is amended by  
22 49 adding the following new subsections:

22 50 NEW SUBSECTION 7A. "Intended beneficiary" means  
23 1 a person who is not listed as a beneficiary of an  
23 2 insurance policy or contract in the records of the  
23 3 insurer.

23 4 NEW SUBSECTION 12A. "Policy owner" means the  
23 5 person who is identified as the legal owner of an  
23 6 insurance policy or contract under the terms of the  
23 7 insurance policy or contract, or who is otherwise  
23 8 vested with legal title to the insurance policy or  
23 9 contract through a valid assignment completed in  
23 10 accordance with the terms of the insurance policy or  
23 11 contract and is properly recorded as the legal owner of  
23 12 the policy or contract in the records of the insurer.

Allows a city submit a request to the Treasurer of State by October 1, 2013, for an additional distribution from the Street Construction Fund for revisions made and certified by the U.S. Census Bureau to a city's population base since the last decennial census. Provides a one-time appropriation, estimated at \$135,000, to the Street Construction Fund for payment to certain cities where corrections were made to the census count by the U.S. Census Bureau, retroactive to April 2011.

DETAIL: This will primarily affect Rockwell City whose population base was adjusted by 507 persons by the U.S. Census Bureau.

This Division is effective on enactment and applies retroactively to April 2011.

CODE: Clarifies duties and responsibilities of insurance producers and nullifies the holdings of two recent cases decided by the Iowa Supreme Court to the extent that higher and greater responsibilities were imposed on insurance producers.

Defines "intended beneficiary" as a person not listed as a beneficiary in the insurer's records. Defines "policy owner" as the legal owner of the insurance policy or contract, or is otherwise vested with legal title to the policy, and properly recorded as legal owner.

Limits the duties and responsibilities of an insurance producer to reasonable care, diligence, and judgment in procuring the insurance requested by the policy owner. There is no duty to change the beneficiary of an insurance policy or contract unless clear written evidence of that intent is presented to the insurance producer as

23 13 "Policy owner" does not include a person who has a mere  
 23 14 beneficial interest in an insurance policy or contract.  
 23 15 Sec. 82. Section 522B.11, subsection 7, Code 2013,  
 23 16 is amended by striking the subsection and inserting in  
 23 17 lieu thereof the following:  
 23 18 7. a. Unless otherwise specified in this chapter,  
 23 19 the duties and responsibilities of an insurance  
 23 20 producer are limited to using reasonable care,  
 23 21 diligence, and judgment in procuring the insurance  
 23 22 requested of the insurance producer by the policy  
 23 23 owner.  
 23 24 b. An insurance producer has no duty to change the  
 23 25 beneficiary of an insurance policy or contract unless  
 23 26 clear written evidence of the policy owner's intent  
 23 27 to name an intended beneficiary as a beneficiary of  
 23 28 the policy or contract is presented to the insurance  
 23 29 producer or insurer in the manner required by the  
 23 30 policy or contract, prior to the payment of any  
 23 31 insurance benefits under the policy or contract. Such  
 23 32 evidence shall be provided in the same manner as a  
 23 33 claim for benefits under the policy or contract.  
 23 34 c. An insurance producer is not in the business  
 23 35 of supplying information to others and has no duty  
 23 36 to provide advice or information unless the insurance  
 23 37 producer holds oneself out as an insurance specialist,  
 23 38 consultant, or counselor and receives compensation for  
 23 39 consultation and advice apart from commissions paid by  
 23 40 an insurer.  
 23 41 d. An insurance producer may agree to accept  
 23 42 additional duties and responsibilities not specified in  
 23 43 this chapter. Any agreement by an insurance producer  
 23 44 to accept such additional duties and responsibilities  
 23 45 shall be in writing and signed by the insurance  
 23 46 producer and the policy owner.  
 23 47 e. The general assembly declares that the holdings  
 23 48 of *Langwith v. Am. Nat'l Gen. Ins. Co.*, 793 N.W.2d  
 23 49 215 (Iowa 2010) and *Pitts v. Farm Bureau Life Ins.*  
 23 50 *Co.*, 818 N.W.2d 91 (Iowa 2012) are abrogated to the  
 24 1 extent that they impose higher or greater duties and  
 24 2 responsibilities on insurance producers than those set  
 24 3 forth in this subsection.

provided for in the policy or contract. Provides that an insurance producer is not in the business of providing advice and information to others unless the producer holds oneself out as an insurance specialist, consultant, or counselor and receives compensation as a result. An insurance producer may agree to accept additional duties and responsibilities through a written agreement.

DETAIL: This language was contained in HF 398 (Insurance Policies and Intended Beneficiaries Bill).

FISCAL IMPACT: The Code changes do not have a significant fiscal impact on the State.

24 4 DIVISION VII  
 24 5 PROTEST AND APPEAL OF PROPERTY ASSESSMENTS

Eliminates the July 1, 2013, sunset of the Property Assessment Appeal Board (PAAB) and makes other changes.

DETAIL: This language was contained in HF 621 (Property Assessment Appeal Board Revisions).

FISCAL IMPACT: Since the sunset is eliminated, the costs for the Board to continue to operate are estimated at \$874,000 in FY 2014 and \$882,000 in FY 2015.

CODE: Eliminates the end date for the PAAB members being paid at the same level as district judges.

24 6 Sec. 83. Section 421.1A, subsection 6, Code 2013,  
 24 7 is amended to read as follows:  
 24 8 6. The members of the property assessment appeal  
 24 9 board shall receive compensation from the state  
 24 10 commensurate with the salary of a district judge  
 24 11 ~~through December 31, 2013.~~ The members of the board  
 24 12 shall be considered state employees for purposes of  
 24 13 salary and benefits. The members of the board and  
 24 14 any employees of the board, when required to travel  
 24 15 in the discharge of official duties, shall be paid  
 24 16 their actual and necessary expenses incurred in the  
 24 17 performance of duties.

CODE: Repeals the PAAB Review Committee. The Committee was required to review the PAAB activities since its inception and make recommendations to the General Assembly by January 15, 2013.

24 20 Sec. 85. Section 441.21, subsection 3, Code 2013,  
 24 21 is amended to read as follows:  
 24 22 3. a. "Actual value", "taxable value", or "assessed  
 24 23 value" as used in other sections of the Code in  
 24 24 relation to assessment of property for taxation shall  
 24 25 mean the valuations as determined by this section;  
 24 26 however, other provisions of the Code providing special  
 24 27 methods or formulas for assessing or valuing specified  
 24 28 property shall remain in effect, but this section  
 24 29 shall be applicable to the extent consistent with such  
 24 30 provisions. The assessor and department of revenue  
 24 31 shall disclose at the written request of the taxpayer  
 24 32 all information in any formula or method used to  
 24 33 determine the actual value of the taxpayer's property.  
 24 34 b. The burden of proof shall be upon any  
 24 35 complainant attacking such valuation as excessive,  
 24 36 inadequate, inequitable, or capricious; however, in  
 24 37 protest or appeal proceedings when the complainant  
 24 38 offers competent evidence by at least two disinterested  
 24 39 witnesses that the market value of the property is less  
 24 40 than the market value determined by the assessor, the  
 24 41 burden of proof thereafter shall be upon the officials  
 24 42 or persons seeking to uphold such valuation to be  
 24 43 assessed.

CODE: Technical change.

24 44 Sec. 86. Section 441.35, subsection 2, Code 2013,

CODE: Strikes the prohibition for adjusting for prior years when a

24 45 is amended to read as follows:  
 24 46 2. In any year after the year in which an  
 24 47 assessment has been made of all of the real estate  
 24 48 in any taxing district, the board of review shall  
 24 49 meet as provided in section 441.33, and where the  
 24 50 board finds the same has changed in value, the board  
 25 1 shall revalue and reassess any part or all of the  
 25 2 real estate contained in such taxing district, and  
 25 3 in such case, the board shall determine the actual  
 25 4 value as of January 1 of the year of the revaluation  
 25 5 and reassessment and compute the taxable value  
 25 6 thereof. ~~Any aggrieved taxpayer may petition for~~  
 25 7 ~~a revaluation of the taxpayer's property, but no~~  
 25 8 ~~reduction or increase shall be made for prior years.~~  
 25 9 If the assessment of any such property is raised, or  
 25 10 any property is added to the tax list by the board,  
 25 11 the clerk shall give notice in the manner provided in  
 25 12 section 441.36. However, if the assessment of all  
 25 13 property in any taxing district is raised, the board  
 25 14 may instruct the clerk to give immediate notice by one  
 25 15 publication in one of the official newspapers located  
 25 16 in the taxing district, and such published notice  
 25 17 shall take the place of the mailed notice provided for  
 25 18 in section 441.36, but all other provisions of that  
 25 19 section shall apply. The decision of the board as to  
 25 20 the foregoing matters shall be subject to appeal to the  
 25 21 property assessment appeal board within the same time  
 25 22 and in the same manner as provided in section 441.37A  
 25 23 and to the district court within the same time and in  
 25 24 the same manner as provided in section 441.38.

revaluation of taxpayer property occurs.

25 25 Sec. 87. Section 441.37, subsection 1, paragraphs a  
 25 26 and b, Code 2013, are amended to read as follows:  
 25 27 a. Any property owner or aggrieved taxpayer who is  
 25 28 dissatisfied with the owner's or taxpayer's assessment  
 25 29 may file a protest against such assessment with the  
 25 30 board of review on or after April 16, to and including  
 25 31 May 5, of the year of the assessment. In any county  
 25 32 which has been declared to be a disaster area by proper  
 25 33 federal authorities after March 1 and prior to May 20  
 25 34 of said year of assessment, the board of review shall  
 25 35 be authorized to remain in session until June 15 and  
 25 36 the time for filing a protest shall be extended to and  
 25 37 include the period from May 25 to June 5 of such year.  
 25 38 ~~Said~~ The protest shall be in writing and signed by the  
 25 39 one protesting or by the protester's duly authorized  
 25 40 agent. The taxpayer may have an oral hearing ~~thereon~~  
 25 41 on the protest if request ~~therefor~~ for the oral hearing

CODE: Adds to the grounds for appealing a property assessment that the property decreased in value from the previous assessment year during an even numbered year when the property had not been assessed.

Clarifies that the burden of proof that a valuation is incorrect is the responsibility of the complainant. If the complainant offers competent evidence by two disinterested witnesses that the market value is less than the assessment, then the burden of proof is on the officials seeking to uphold the assessment.

Makes a number of technical changes.

25 42 ~~is made~~ in writing ~~is made~~ at the time of filing the  
25 43 protest. ~~Said~~ The protest must be confined to one or  
25 44 more of the following grounds:  
25 45 (1) For odd-numbered assessment years and for  
25 46 even-numbered assessment years for property that was  
25 47 reassessed in such even-numbered assessment year:  
25 48 (a) That said assessment is not equitable as  
25 49 compared with assessments of other like property in  
25 50 the ~~taxing district assessing jurisdiction.~~ When this  
26 1 ground is relied upon ~~as the basis of a protest the~~  
26 2 ~~legal description and assessments of a representative~~  
26 3 ~~number of comparable properties, as described by the~~  
26 4 ~~aggrieved taxpayer shall be listed on the protest,~~  
26 5 ~~otherwise said protest shall not be considered on this~~  
26 6 ~~ground consideration shall be given to whether the~~  
26 7 ~~other like property in the assessing jurisdiction was~~  
26 8 ~~appraised using a different appraisal methodology than~~  
26 9 ~~the methodology used to appraise the property that is~~  
26 10 ~~the subject of the protest.~~  
26 11 ~~(2) (b) That the property is assessed for more~~  
26 12 ~~than the value authorized by law, stating. When~~  
26 13 ~~this ground is relied upon, the specific amount which~~  
26 14 ~~the protesting party believes the property to be~~  
26 15 ~~overassessed, and the amount which the party considers~~  
26 16 ~~to be its actual value and the amount the party~~  
26 17 ~~considers a fair assessment shall be stated.~~  
26 18 ~~(3) (c) That the property is not assessable, is~~  
26 19 ~~exempt from taxes, or is misclassified and stating the~~  
26 20 ~~reasons for the protest.~~  
26 21 ~~(4) (d) That there is an error in the assessment~~  
26 22 ~~and state the specific alleged error. When this ground~~  
26 23 ~~is relied upon, it may include but is not limited to~~  
26 24 ~~listing errors, clerical or mathematical errors, or~~  
26 25 ~~other errors that result in an error in the assessment.~~  
26 26 ~~(5) (e) That there is fraud in the assessment~~  
26 27 ~~which shall be specifically stated.~~  
26 28 (2) For even-numbered assessment years, when the  
26 29 property has not been reassessed in such even-numbered  
26 30 assessment year, that there has been a decrease in the  
26 31 value of the property from the previous reassessment  
26 32 year. When this ground is relied upon, the decrease in  
26 33 value shall be shown by comparing the market value of  
26 34 the property as of January 1 of the current assessment  
26 35 year and the actual value of the property for the  
26 36 previous reassessment year. Such protest shall be  
26 37 in the same manner as described in this section and  
26 38 shall be reviewed by the local board of review pursuant  
26 39 to section 441.35, subsection 2, but no reduction or

26 40 increase shall be made for prior years.  
 26 41 ~~b.—In addition to the above, the property owner~~  
 26 42 ~~may protest annually to the board of review under~~  
 26 43 ~~the provisions of section 441.35, but such protest~~  
 26 44 ~~shall be in the same manner and upon the same terms as~~  
 26 45 ~~heretofore prescribed in this section. The burden of~~  
 26 46 ~~proof for all protests filed under this section shall~~  
 26 47 ~~be as stated in section 441.21, subsection 3, paragraph~~  
 26 48 ~~“b”.~~

26 49 Sec. 88. Section 441.37A, subsection 1, paragraph  
 26 50 b, Code 2013, is amended to read as follows:  
 27 1 b. For an appeal to the property assessment appeal  
 27 2 board to be valid, written notice must be filed by  
 27 3 the party appealing the decision with the secretary  
 27 4 of the property assessment appeal board within twenty  
 27 5 days after ~~the date the board of review’s letter of~~  
 27 6 ~~disposition of the appeal is postmarked to the party~~  
 27 7 ~~making the protest~~ adjournment of the local board of  
 27 8 review or May 31, whichever is later. The written  
 27 9 notice of appeal shall include a petition setting forth  
 27 10 the basis of the appeal and the relief sought. No new  
 27 11 grounds in addition to those set out in the protest  
 27 12 to the local board of review as provided in section  
 27 13 441.37 can be pleaded, but additional evidence to  
 27 14 sustain those grounds may be introduced. The assessor  
 27 15 shall have the same right to appeal to the assessment  
 27 16 appeal board as an individual taxpayer, public body, or  
 27 17 other public officer as provided in section 441.42. An  
 27 18 appeal to the board is a contested case under chapter  
 27 19 17A.

CODE: Changes the deadline for filing an appeal to 20 days after the adjournment of the local Board of Review or May 31, whichever is later.

27 20 Sec. 89. Section 441.37A, subsection 2, paragraph  
 27 21 a, Code 2013, is amended to read as follows:  
 27 22 a. A party to the appeal may request a hearing or  
 27 23 the appeal may proceed without a hearing. If a hearing  
 27 24 is requested, the appellant and the local board of  
 27 25 review from which the appeal is taken shall be given  
 27 26 at least thirty days’ written notice by the property  
 27 27 assessment appeal board of the date the appeal shall be  
 27 28 heard and the local board of review may be present and  
 27 29 participate at such hearing. Notice to all affected  
 27 30 taxing districts shall be deemed to have been given  
 27 31 when written notice is provided to the local board of  
 27 32 review. The requirement of thirty days’ written notice  
 27 33 may be waived by mutual agreement of all parties to  
 27 34 the appeal. Failure by the appellant to appear at  
 27 35 the property assessment appeal board hearing shall be

CODE: Permits the 30-day written notice of an appeal before the PAAB may be waived by mutual agreement of all involved parties. Adds that the PAAB may grant a continuance when the appellant fails to appear for the hearing if good cause for the failure can be shown.

27 36 ~~grounds for result in~~ dismissal of the appeal unless a  
 27 37 continuance is granted to the appellant ~~by the board~~  
 27 38 ~~following a showing of good cause for the appellant's~~  
 27 39 ~~failure to appear~~. If an appeal is dismissed for  
 27 40 failure to appear, the property assessment appeal board  
 27 41 shall have no jurisdiction to consider any subsequent  
 27 42 appeal on the appellant's protest.

27 43 Sec. 90. Section 441.37A, subsection 3, paragraph  
 27 44 a, Code 2013, is amended to read as follows:  
 27 45 a. The board member considering the appeal shall  
 27 46 determine anew all questions arising before the local  
 27 47 board of review which relate to the liability of  
 27 48 the property to assessment or the amount thereof.  
 27 49 All of the evidence shall be considered and there  
 27 50 shall be no presumption as to the correctness of the  
 28 1 valuation of assessment appealed from. The burden  
 28 2 of proof for all appeals before the board shall be  
 28 3 as stated in section 441.21, subsection 3, paragraph  
 28 4 "b". The property assessment appeal board shall make a  
 28 5 decision in each appeal filed with the board. If the  
 28 6 appeal is considered by less than a majority of the  
 28 7 board, the determination made by that member shall be  
 28 8 forwarded to the full board for approval, rejection, or  
 28 9 modification. If the initial determination is rejected  
 28 10 by the board, it shall be returned for reconsideration  
 28 11 to the board member making the initial determination.  
 28 12 Any deliberation of the board regarding an initial  
 28 13 determination shall be confidential.

28 14 Sec. 91. REPEAL. 2005 Iowa Acts, chapter 150,  
 28 15 section 134, is repealed.

28 16 Sec. 92. EFFECTIVE UPON ENACTMENT. This division  
 28 17 of this Act, being deemed of immediate importance,  
 28 18 takes effect upon enactment.

28 19 Sec. 93. APPLICABILITY. The following provisions  
 28 20 of this division of this Act apply to assessment years  
 28 21 beginning on or after January 1, 2014:  
 28 22 1. The section amending section 441.37.  
 28 23 2. The section amending section 441.35.

28 24 DIVISION VIII  
 28 25 GENERAL AND SPECIAL EDUCATION

28 26 Sec. 94. GENERAL AND SPECIAL EDUCATION  
 28 27 INSTRUCTIONAL PROGRAMS — PRIVATE AGENCY RESIDENTIAL

CODE: Clarifies that the same burden of proof applies to appeals before the PAAB.

CODE: Repeals the July 1, 2013, sunset of the PAAB.

The provisions of this Division applying to the PAAB are effective on enactment.

The sections dealing with grounds for appeal of assessments and with striking the prohibition for adjusting for prior years when a revaluation of taxpayer property occurs are applicable to assessment years beginning on or after January 1, 2014.

Specifies that if a private agency (defined as a residential facility licensed under Iowa Code, Chapter 135H or 237) contracted with a

28 28 SERVICES.

28 29 1. For purposes of this section, "private agency"  
 28 30 means a residential facility licensed under chapter  
 28 31 135H or 237. "Private agency" does not include an  
 28 32 institution listed in section 218.1.  
 28 33 2. If a private agency contracted with a school  
 28 34 district on or before July 1, 2010, to provide general  
 28 35 education or special education instructional programs,  
 28 36 for the school years beginning July 1, 2012, and  
 28 37 July 1, 2013, the private agency may bill the school  
 28 38 district for the subsequent costs of such programs, in  
 28 39 accordance with billing practices in place on July 1,  
 28 40 2010. Such school district may in turn bill a child's  
 28 41 school district of residence for such costs. Such  
 28 42 costs include, if necessary to meet the special needs  
 28 43 of children requiring general education or special  
 28 44 education, the costs of general administration, health  
 28 45 service, attendance officers, plant operation, and  
 28 46 plant maintenance, instructional costs, and the costs  
 28 47 of purchase of equipment, transportation, and property,  
 28 48 casualty, and liability insurance. Such costs do not  
 28 49 include the costs of services otherwise funded pursuant  
 28 50 to chapter 135H or 237.

29 1 3. An auditor conducting an annual audit of  
 29 2 a school district pursuant to section 11.6 shall  
 29 3 review and verify the information contained in any  
 29 4 cost reports submitted to the school district by a  
 29 5 private agency contracting with the school district as  
 29 6 described in this section.

29 7 Sec. 95. GENERAL AND SPECIAL EDUCATION COSTS —  
 29 8 LEGISLATIVE STUDY.

29 9 1. For purposes of this section, "private agency"  
 29 10 means a residential facility licensed under chapter  
 29 11 135H or 237. "Private agency" does not include an  
 29 12 institution listed in section 218.1.  
 29 13 2. The legislative council is requested to  
 29 14 establish an interim study committee during the 2013  
 29 15 interim to examine the payment of general education  
 29 16 and special education costs associated with student  
 29 17 services provided by private agencies and whether  
 29 18 the planning for and costs of such services would be  
 29 19 more appropriately administered by the department of  
 29 20 education or the department of human services. The  
 29 21 study committee shall consist of legislator members of  
 29 22 both political parties from both houses of the general  
 29 23 assembly and representatives of the office of the  
 29 24 governor, the department of education, the department

school district to provide general or special education instructional programs on or before FY 2011 for FY 2012 and FY 2013, the facility may bill the school district for the costs of the programs. These costs may include costs of general administration, health service, attendance officers, plant operation, plant maintenance, instructional costs, equipment, transportation, and property casualty and liability insurance.

DETAIL: In previous years, these facilities have charged school districts for the costs of the provisions identified in the legislation. The Department of Education has declared that these charges are not permissible under current law. The legislation allows for specific private agencies to charge these costs to school districts through the end of FY 2014.

FISCAL IMPACT: Compared to current law, the fiscal impact is estimated to total \$1,700,000 in private agency billings to school districts on an annual basis. These additional costs may increase a district's special education cost deficit and may result in a property tax increase to fund any modified allowable growth for the special education cost deficit. If school districts choose to administer these specific programs in lieu of the private agency, the school district may request modified allowable growth for the additional costs to administer these programs. This cost amount is currently unknown, but is estimated at less than \$1,700,000.

Requests the Legislative Council to create an interim study committee during the 2013 interim to review the payment of general education and special education costs associated with student services provided by private agencies.

29 25 of human services, and private agencies.  
 29 26 Sec. 96. EFFECTIVE UPON ENACTMENT. The section  
 29 27 of this division of this Act relating to general and  
 29 28 special education instructional programs and private  
 29 29 agency residential services, being deemed of immediate  
 29 30 importance, takes effect upon enactment.

29 31 DIVISION IX  
 29 32 ALL-TERRAIN VEHICLES

29 33 Sec. 97. Section 321.1, subsection 32, Code 2013,  
 29 34 is amended to read as follows:

29 35 32. "Implement of husbandry" means a vehicle or  
 29 36 special mobile equipment manufactured, designed, or  
 29 37 reconstructed for agricultural purposes and, except  
 29 38 for incidental uses, exclusively used in the conduct  
 29 39 of agricultural operations. "Implements of husbandry"  
 29 40 includes all-terrain vehicles operated in compliance  
 29 41 with section 321.234A, subsection 1, paragraph "a", but  
 29 42 not registered for operation upon a highway pursuant  
 29 43 to section 321.118, fence-line feeders, and vehicles  
 29 44 used exclusively for the application of organic or  
 29 45 inorganic plant food materials, organic agricultural  
 29 46 limestone, or agricultural chemicals. To be considered  
 29 47 an implement of husbandry, a self-propelled implement  
 29 48 of husbandry must be operated at speeds of thirty-five  
 29 49 miles per hour or less.

29 50 a. "Reconstructed" as used in this subsection means  
 30 1 materially altered from the original construction by  
 30 2 the removal, addition, or substitution of essential  
 30 3 parts, new or used.

30 4 b. A vehicle covered under this subsection, if  
 30 5 it otherwise qualifies, may be operated as special  
 30 6 mobile equipment and under such circumstances this  
 30 7 subsection shall not be applicable to such vehicle,  
 30 8 and such vehicle shall not be required to comply with  
 30 9 sections 321.384 through 321.423, when such vehicle is  
 30 10 moved during daylight hours; however, the provisions  
 30 11 of section 321.383 shall remain applicable to such  
 30 12 vehicle.

30 13 Sec. 98. Section 321.1, subsection 47A, Code 2013,  
 30 14 is amended to read as follows:

30 15 47A. "Off-road utility vehicle" means a motorized  
 30 16 flotation-tire vehicle with not less than four and not  
 30 17 more than eight low-pressure tires that is limited in  
 30 18 engine displacement to less than one thousand five  
 30 19 hundred cubic centimeters and in total dry weight  
 30 20 to not more than ~~one~~ two thousand ~~eight hundred~~

CODE: This Division amends Iowa Code chapters 321 and 321I to provide for the registration of all-terrain vehicles (ATVs) authorized for operation on secondary roads or city streets where authorized by local ordinance. Operators must be age 16 or older and possess a valid driver's license. Establishes an annual registration fee of \$50 for ATVs operated on secondary roads or city streets. The registration fees are in addition to the requirements of Iowa Code chapter 321I. All ATVs utilized exclusively as a farm implement are exempt from registration fee.

30 21 pounds and that has a seat that is of bucket or bench  
30 22 design, not intended to be straddled by the operator,  
30 23 and a steering wheel or control levers for control.  
30 24 “Off-road utility vehicle” does not include dune  
30 25 buggies, golf carts, go-carts, or minitrucks.  
30 26 Sec. 99. Section 321.105A, subsection 2, paragraph  
30 27 c, Code 2013, is amended by adding the following new  
30 28 subparagraph:  
30 29 NEW SUBPARAGRAPH (31) An all-terrain vehicle  
30 30 which is exempt from the sales tax pursuant to section  
30 31 423.3, subsection 8, or for which the applicant has  
30 32 paid the sales tax in this state or has paid to another  
30 33 state a state sales, use, or occupational tax.  
30 34 Sec. 100. Section 321.109, subsection 1, paragraph  
30 35 a, Code 2013, is amended to read as follows:  
30 36 a. The annual fee for all motor vehicles including  
30 37 vehicles designated by manufacturers as station wagons,  
30 38 1993 and subsequent model year multipurpose vehicles,  
30 39 and 2010 and subsequent model year motor trucks with  
30 40 an unladen weight of ten thousand pounds or less,  
30 41 except motor trucks registered under section 321.122,  
30 42 business-trade trucks, special trucks, motor homes,  
30 43 ambulances, hearses, all-terrain vehicles, motorcycles,  
30 44 motorized bicycles, and 1992 and older model year  
30 45 multipurpose vehicles, shall be equal to one percent  
30 46 of the value as fixed by the department plus forty  
30 47 cents for each one hundred pounds or fraction thereof  
30 48 of weight of vehicle, as fixed by the department. The  
30 49 weight of a motor vehicle, fixed by the department  
30 50 for registration purposes, shall include the weight  
31 1 of a battery, heater, bumpers, spare tire, and wheel.  
31 2 Provided, however, that for any new vehicle purchased  
31 3 in this state by a nonresident for removal to the  
31 4 nonresident’s state of residence the purchaser may make  
31 5 application to the county treasurer in the county of  
31 6 purchase for a transit plate for which a fee of ten  
31 7 dollars shall be paid. And provided, however, that for  
31 8 any used vehicle held by a registered dealer and not  
31 9 currently registered in this state, or for any vehicle  
31 10 held by an individual and currently registered in this  
31 11 state, when purchased in this state by a nonresident  
31 12 for removal to the nonresident’s state of residence,  
31 13 the purchaser may make application to the county  
31 14 treasurer in the county of purchase for a transit  
31 15 plate for which a fee of three dollars shall be paid.  
31 16 The county treasurer shall issue a nontransferable  
31 17 certificate of registration for which no refund shall  
31 18 be allowed; and the transit plates shall be void thirty

31 19 days after issuance. Such purchaser may apply for a  
31 20 certificate of title by surrendering the manufacturer's  
31 21 or importer's certificate or certificate of title,  
31 22 duly assigned as provided in this chapter. In this  
31 23 event, the treasurer in the county of purchase shall,  
31 24 when satisfied with the genuineness and regularity of  
31 25 the application, and upon payment of a fee of twenty  
31 26 dollars, issue a certificate of title in the name and  
31 27 address of the nonresident purchaser delivering the  
31 28 title to the owner. If there is a security interest  
31 29 noted on the title, the county treasurer shall mail to  
31 30 the secured party an acknowledgment of the notation  
31 31 of the security interest. The county treasurer shall  
31 32 not release a security interest that has been noted on  
31 33 a title issued to a nonresident purchaser as provided  
31 34 in this paragraph. The application requirements of  
31 35 section 321.20 apply to a title issued as provided  
31 36 in this subsection, except that a natural person  
31 37 who applies for a certificate of title shall provide  
31 38 either the person's social security number, passport  
31 39 number, or driver's license number, whether the license  
31 40 was issued by this state, another state, or another  
31 41 country. The provisions of this subsection relating to  
31 42 multipurpose vehicles are effective for all 1993 and  
31 43 subsequent model years. The annual registration fee  
31 44 for multipurpose vehicles that are 1992 model years and  
31 45 older shall be in accordance with section 321.124.

31 46 Sec. 101.NEW SECTION 321.118 ALL-TERRAIN  
31 47 VEHICLES.

31 48 1. An all-terrain vehicle designed to travel  
31 49 on four or more wheels may be registered under this  
31 50 chapter for operation on secondary roads and on  
32 1 city streets where authorized, as provided in this  
32 2 chapter, for an annual fee of fifty dollars. However,  
32 3 all-terrain vehicles registered under this section  
32 4 are not subject to the titling provisions of this  
32 5 chapter or to the manufacturer's label requirement  
32 6 under section 321.30, subsection 2, paragraph "a".  
32 7 Registration under this section is in addition to  
32 8 the titling and registration requirements of chapter  
32 9 3211. An applicant for registration of an all-terrain  
32 10 vehicle under this section shall submit, along with the  
32 11 application, a copy of the registration certificate  
32 12 issued for the vehicle pursuant to section 3211.4  
32 13 containing a description of the vehicle and identifying  
32 14 the applicant as the owner of the vehicle.

32 15 2. This section shall not be construed to include  
32 16 all-terrain vehicles within the meaning of the term

32 17 "motor vehicle subject to registration" or "vehicle  
32 18 subject to registration" as that term applies to the  
32 19 regulation of motor vehicle dealers, manufacturers, or  
32 20 distributors or to the sale, rental, lease, transfer,  
32 21 or disposition of motor vehicles.

32 22 Sec. 102. Section 321.166, subsection 1, paragraph  
32 23 a, Code 2013, is amended to read as follows:  
32 24 a. Registration plates shall be of metal and of a  
32 25 size not to exceed six inches by twelve inches, except  
32 26 that the size of plates issued for use on all-terrain  
32 27 vehicles, motorized bicycles, motorcycles, motorcycle  
32 28 trailers, and trailers with an empty weight of two  
32 29 thousand pounds or less shall be established by the  
32 30 department.

32 31 Sec. 103. Section 321.166, subsection 4, Code 2013,  
32 32 is amended to read as follows:  
32 33 4. The registration plate number, except on  
32 34 all-terrain vehicles, motorized bicycles, motorcycles,  
32 35 motorcycle trailers, and trailers with an empty weight  
32 36 of two thousand pounds or less, shall be of sufficient  
32 37 size to be readable from a distance of one hundred feet  
32 38 during daylight.

32 39 Sec. 104. Section 321.234A, subsection 1, paragraph  
32 40 f, Code 2013, is amended by striking the paragraph.

32 41 Sec. 105. Section 321.234A, Code 2013, is amended  
32 42 by adding the following new subsection:  
32 43 NEW SUBSECTION 5. The provisions of this section  
32 44 do not apply to an all-terrain vehicle registered under  
32 45 section 321.118 and operated on a highway in accordance  
32 46 with section 321.234B.

32 47 Sec. 106. NEW SECTION 321.234B REGISTERED  
32 48 ALL-TERRAIN VEHICLES — OPERATION ON HIGHWAYS.  
32 49 An all-terrain vehicle which is registered pursuant  
32 50 to section 321.118 may be operated on a highway subject  
33 1 to all of the following:

33 2 1. PERSONS WHO MAY OPERATE. A person shall not  
33 3 operate an all-terrain vehicle on a highway unless the  
33 4 person is sixteen years of age or older and has a valid  
33 5 driver's license other than a license valid only for  
33 6 operation of a motorized bicycle.

33 7 2. OPERATION ON CERTAIN HIGHWAYS ONLY. All-terrain  
33 8 vehicles registered under section 321.118 may be  
33 9 operated on secondary roads, but shall not be operated  
33 10 on primary highways or on highways within the corporate  
33 11 limits of a city except as follows:

33 12 a. A person shall not operate an all-terrain  
33 13 vehicle registered under section 321.118 on a primary  
33 14 highway except to cross a primary highway; however, the

33 15 provisions of section 3211.10 govern the crossing of a  
33 16 primary highway when the all-terrain vehicle is being  
33 17 operated on an all-terrain vehicle trail.

33 18 b. A person shall not operate an all-terrain  
33 19 vehicle registered under section 321.118 on a highway  
33 20 within the corporate limits of a city except on a  
33 21 nonprimary highway where such operation is authorized  
33 22 by ordinance pursuant to section 321.236, subsection  
33 23 14A.

33 24 3. MOTOR VEHICLE LAWS APPLICABLE. The motor vehicle  
33 25 laws, including but not limited to the provisions  
33 26 of sections 321.20B, 321.285, 321.317, 321.385, and  
33 27 321.387, apply to the operation of all-terrain vehicles  
33 28 registered for operation on highways, except for those  
33 29 provisions relating to required equipment which by  
33 30 their nature can have no practical application.

33 31 4. PENALTIES. A person convicted of a violation  
33 32 of subsection 1 or 2 is guilty of a simple misdemeanor  
33 33 punishable as a scheduled violation under section  
33 34 805.8A, subsection 6.

33 35 Sec. 107. Section 321.236, Code 2013, is amended by  
33 36 adding the following new subsection:

33 37 NEW SUBSECTION 14A. Authorizing the operation of  
33 38 all-terrain vehicles registered under section 321.118  
33 39 on highways under the jurisdiction of a city, other  
33 40 than municipal extensions of primary highways.

33 41 Sec. 108. Section 321.285, Code 2013, is amended by  
33 42 adding the following new subsection:

33 43 NEW SUBSECTION 6A. Notwithstanding any other  
33 44 speed restrictions allowing for speed in excess of  
33 45 forty-five miles per hour, a person shall not operate  
33 46 an all-terrain vehicle on a highway at a speed in  
33 47 excess of forty-five miles per hour.

33 48 Sec. 109. Section 321F.1, subsection 7, Code 2013,  
33 49 is amended to read as follows:

33 50 7. "Motor vehicle" means every vehicle which is  
34 1 self-propelled and subject to registration under the  
34 2 laws of this state, other than an all-terrain vehicle  
34 3 as defined in section 321.1.

34 4 Sec. 110. Section 321H.2, subsection 10, Code 2013,  
34 5 is amended to read as follows:

34 6 10. "Vehicle subject to registration" means any  
34 7 vehicle that is of a type required to be registered  
34 8 under chapter 321 when operated on a public highway,  
34 9 including but not limited to a vehicle that is  
34 10 inoperable, salvage, or rebuilt, but not including an  
34 11 all-terrain vehicle as defined in section 321.1.

34 12 Sec. 111. Section 321I.9, unnumbered paragraph 1,

34 13 Code 2013, is amended to read as follows:  
34 14 Registration under this chapter shall not be  
34 15 required for the following described all-terrain  
34 16 vehicles:  
34 17 Sec. 112. Section 321I.10, subsection 1, Code 2013,  
34 18 is amended to read as follows:  
34 19 1. A person shall not operate an all-terrain  
34 20 vehicle or off-road utility vehicle upon roadways  
34 21 or highways except as provided in ~~section~~ sections  
34 22 321.234A and 321.234B and this section.  
34 23 Sec. 113. Section 321I.10, subsections 2 and 3,  
34 24 Code 2013, are amended by striking the subsections.  
34 25 Sec. 114. Section 321I.31, subsection 1, Code 2013,  
34 26 is amended to read as follows:  
34 27 1. The owner of an all-terrain vehicle acquired on  
34 28 or after January 1, 2000, other than an all-terrain  
34 29 vehicle used exclusively as a farm implement or a  
34 30 motorcycle previously issued a title pursuant to  
34 31 chapter 321, shall apply to the county recorder of the  
34 32 county in which the owner resides for a certificate  
34 33 of title for the all-terrain vehicle. The owner of  
34 34 an all-terrain vehicle used exclusively as a farm  
34 35 implement may obtain a certificate of title. A person  
34 36 who owns an all-terrain vehicle that is not required to  
34 37 have a certificate of title may apply for and receive  
34 38 a certificate of title for the all-terrain vehicle  
34 39 and, subsequently, the all-terrain vehicle shall be  
34 40 subject to the requirements of this chapter as if  
34 41 the all-terrain vehicle were required to be titled.  
34 42 All all-terrain vehicles that are titled shall be  
34 43 registered under this chapter.  
34 44 Sec. 115. Section 322.2, subsections 13 and 23,  
34 45 Code 2013, are amended to read as follows:  
34 46 13. "Motor vehicle" means any self-propelled  
34 47 vehicle subject to registration under chapter 321,  
34 48 other than an all-terrain vehicle as defined in section  
34 49 321.1.  
34 50 23. "Used motor vehicle" or "second-hand motor  
35 1 vehicle" means any motor vehicle of a type subject to  
35 2 registration under the laws of this state, except an  
35 3 all-terrain vehicle as defined in section 321.1, which  
35 4 has been sold "at retail" as defined in this chapter  
35 5 and previously registered in this or any other state.  
35 6 Sec. 116. Section 322A.1, subsection 8, Code 2013,  
35 7 is amended to read as follows:  
35 8 8. "Motor vehicle" means ~~a~~ "motor ~~vehicles~~ vehicle"  
35 9 as defined in chapter 321 which ~~are~~ is subject to  
35 10 registration pursuant to the provisions thereof, other

35 11 ~~than an all-terrain vehicle as defined in section~~  
 35 12 ~~321.1.~~  
 35 13 Sec. 117. Section 331.362, subsection 9, Code 2013,  
 35 14 is amended to read as follows:  
 35 15 9. A county may regulate traffic on and use of the  
 35 16 secondary roads, in accordance with sections 321.236  
 35 17 to 321.250, 321.254, 321.255, 321.285, subsection  
 35 18 4, sections 321.352, 321.471 to 321.473, and other  
 35 19 applicable provisions of chapter 321, and sections  
 35 20 321G.9, ~~321.10~~, and 327G.15.  
 35 21 Sec. 118. Section 423.1, subsection 66, Code 2013,  
 35 22 is amended to read as follows:  
 35 23 66. "Vehicles subject to registration" means any  
 35 24 vehicle subject to registration pursuant to section  
 35 25 321.18, ~~other than an all-terrain vehicle or off-road~~  
 35 26 ~~utility vehicle registered pursuant to section 321.118.~~  
 35 27 Sec. 119. Section 516E.1, subsection 6, Code 2013,  
 35 28 is amended to read as follows:  
 35 29 6. "Motor vehicle" means any self-propelled vehicle  
 35 30 subject to registration under chapter 321, ~~other than~~  
 35 31 ~~an all-terrain vehicle as defined in section 321.1.~~  
 35 32 Sec. 120. Section 537B.2, subsection 2, Code 2013,  
 35 33 is amended to read as follows:  
 35 34 2. "Motor vehicle" means a motor vehicle as defined  
 35 35 in section 321.1 which is subject to registration.  
 35 36 However, "motor vehicle" does not include a motor  
 35 37 vehicle, as defined in section 321.1, with a gross  
 35 38 vehicle weight rating of more than twelve thousand  
 35 39 pounds, ~~or an all-terrain vehicle as defined in section~~  
 35 40 ~~321.1.~~  
 35 41 Sec. 121. Section 805.8A, subsection 6, Code 2013,  
 35 42 is amended by adding the following new paragraph:  
 35 43 NEW PARAGRAPH 0a. Section 321.234B, subsection 1  
 35 44 or 2\$50.

35 45 DIVISION X  
 35 46 RULEMAKING PROCESS

35 47 Sec. 122. Section 17A.4, subsection 3, Code 2013,  
 35 48 is amended to read as follows:  
 35 49 3. ~~a. When an agency for good cause finds that~~  
 35 50 ~~notice and public participation would be unnecessary,~~  
 36 1 ~~impracticable, or contrary to the public interest~~ When  
 36 2 the statute so provides, or with the approval of the  
 36 3 administrative rules review committee, if the committee  
 36 4 finds good cause that notice and public participation  
 36 5 would be unnecessary, impracticable, or contrary to the  
 36 6 public interest, the provisions of subsection 1 shall

CODE: Grants new powers to the Administrative Rules Review Committee (ARRC) during the rulemaking process. Changes pertain to emergency rulemaking procedures and notices of intended action filed by State agencies. Currently, rules promulgated under emergency rulemaking procedures are effective when filed and are not subject to the 70-day authority of the ARRC. The ARRC currently has no authority relating to a notice of intended action filed with the ARRC until the adopted rule is filed with the ARRC following the notice. The ARRC may only utilize a 70-day or Legislative Session delay for an entire rule. This amendment makes the following changes:

36 7 be inapplicable. ~~The agency shall incorporate in each~~  
 36 8 ~~rule issued in reliance upon this provision either the~~  
 36 9 ~~finding and a brief statement of the reasons for the~~  
 36 10 ~~finding, or a statement that the rule is within a very~~  
 36 11 ~~narrowly tailored category of rules whose issuance~~  
 36 12 ~~has previously been exempted from subsection 1 by a~~  
 36 13 ~~special rule relying on this provision and including~~  
 36 14 ~~such a finding and statement of reasons for the entire~~  
 36 15 ~~category.~~  
 36 16 b. (1) If the administrative rules review  
 36 17 committee by a two-thirds vote, the governor, or the  
 36 18 attorney general files with the administrative code  
 36 19 editor an objection to the adoption of any a rule or  
 36 20 portion of a rule pursuant to this subsection, that the  
 36 21 rule or portion of the rule shall cease to be effective  
 36 22 one hundred eighty days after the date the objection  
 36 23 was filed. A  
 36 24 (2) If the administrative rules review committee  
 36 25 files with the administrative code editor an objection  
 36 26 to the adoption of a rule or portion of a rule  
 36 27 pursuant to this subsection, the administrative rules  
 36 28 review committee, by a separate two-thirds vote, may  
 36 29 suspend the applicability of the rule or portion of  
 36 30 the rule until the rule ceases to be effective under  
 36 31 this paragraph "b". The determination to suspend  
 36 32 the applicability of the rule or portion of the rule  
 36 33 shall be included in the copy of the objection to be  
 36 34 forwarded to the agency.  
 36 35 c. If an objection to a rule is filed under this  
 36 36 subsection, a copy of the objection, properly dated,  
 36 37 shall be forwarded to the agency at the time of filing  
 36 38 the objection. In any action contesting a rule or  
 36 39 portion of a rule adopted pursuant to this subsection,  
 36 40 the burden of proof shall be on the agency to show that  
 36 41 the procedures of subsection 1 were impracticable,  
 36 42 unnecessary, or contrary to the public interest and  
 36 43 that, if a category of rules was involved, the category  
 36 44 was very narrowly tailored.  
 36 45 Sec. 123. Section 17A.4, subsection 7, Code 2013,  
 36 46 is amended to read as follows:  
 36 47 7. a. Upon the vote of two-thirds of its members  
 36 48 the administrative rules review committee may delay the  
 36 49 effective date of a rule or portion of a rule seventy  
 36 50 days beyond that permitted in section 17A.5, unless the  
 37 1 rule was promulgated under section 17A.5, subsection 2,  
 37 2 paragraph "b". This provision shall be utilized by the  
 37 3 committee only if further time is necessary to study  
 37 4 and examine the rule. ~~If the rule was promulgated~~

- Rules may be adopted without notice only if authorized in statute or with the approval of the ARRC.
- Requires all rulemaking to be construed narrowly unless specifically authorized in statute.
- Authorizes the ARRC to object and suspend an "emergency rulemaking."
- Expands the 70-day delay authority of the ARRC under certain circumstances.
- Expands the Legislative Session delay authority of the ARRC. The ARRC is granted the authority, with a two-thirds vote, to suspend the applicability of an "emergency rulemaking" until the adjournment of the next regular Session of the General Assembly. The Committee must vote within 35 days of the rule's effective date. The ARRC may use a Legislative Session delay for a portion of a rule, and may do so for any reason.

37 5 under section 17A.5, subsection 2, paragraph "b",  
37 6 the administrative rules review committee, within  
37 7 thirty-five days of the effective date of the rule and  
37 8 upon the vote of two-thirds of its members, may suspend  
37 9 the applicability of the rule or portion of the rule  
37 10 for seventy days.

37 11 b. Notice of an effective date that was delayed  
37 12 under this provision shall be published in the Iowa  
37 13 administrative code and bulletin.

37 14 Sec. 124. Section 17A.4, Code 2013, is amended by  
37 15 adding the following new subsection:

37 16 NEW SUBSECTION 9. Upon the vote of two-thirds of  
37 17 its members, the administrative rules review committee,  
37 18 following notice of intended action as provided in  
37 19 subsection 1 and prior to adoption of a rule pursuant  
37 20 to that notice, may suspend further action relating to  
37 21 that notice for seventy days. Notice of a notice of  
37 22 intended action that was suspended under this provision  
37 23 shall be published in the Iowa administrative code and  
37 24 bulletin.

37 25 Sec. 125. Section 17A.8, subsection 9, Code 2013,  
37 26 is amended to read as follows:

37 27 9.a. Upon a vote of two-thirds of its members,  
37 28 the administrative rules review committee may delay the  
37 29 effective date of a rule or portion of a rule until  
37 30 the adjournment of the next regular session of the  
37 31 general assembly, unless the rule was promulgated under  
37 32 section 17A.5, subsection 2, paragraph "b". If the  
37 33 rule was promulgated under section 17A.5, subsection  
37 34 2, paragraph "b", the administrative rules review  
37 35 committee, within thirty-five days of the effective  
37 36 date of the rule and upon the vote of two-thirds of its  
37 37 members, may suspend the applicability of the rule or  
37 38 portion of the rule until the adjournment of the next  
37 39 regular session of the general assembly.

37 40 b. The committee shall refer a rule or portion  
37 41 of a rule whose effective date has been delayed or  
37 42 applicability has been suspended to the speaker of  
37 43 the house of representatives and the president of the  
37 44 senate who shall refer the delayed or suspended rule  
37 45 or portion of the rule to the appropriate standing  
37 46 committees of the general assembly. A standing  
37 47 committee shall review a the rule within twenty-one  
37 48 days after the rule is referred to the committee by  
37 49 the speaker of the house of representatives or the  
37 50 president of the senate and shall take formal committee  
38 1 action by sponsoring a joint resolution to disapprove  
38 2 the rule, by proposing legislation relating to the

38 3 rule, or by refusing to propose a joint resolution  
38 4 or legislation concerning the rule. The standing  
38 5 committee shall inform the administrative rules review  
38 6 committee of the committee action taken concerning the  
38 7 rule. If the general assembly has not disapproved of  
38 8 the rule by a joint resolution, the rule shall become  
38 9 effective. The speaker of the house of representatives  
38 10 and the president of the senate shall notify the  
38 11 administrative code editor of the final disposition  
38 12 of each rule or portion of a rule whose effective  
38 13 date has been delayed or whose applicability has been  
38 14 suspended pursuant to this subsection. If ~~a the~~  
38 15 rule is disapproved, ~~the rule~~ shall not ~~become be~~  
38 16 effective and the agency shall rescind the rule. ~~This~~  
38 17 ~~section shall not apply to rules made effective under~~  
38 18 ~~section 17A.5, subsection 2, paragraph "b"~~.  
38 19 Sec. 126. Section 17A.23, Code 2013, is amended to  
38 20 read as follows:  
38 21 17A.23 CONSTRUCTION — DELEGATION OF AUTHORITY .  
38 22 1. Except as expressly provided otherwise by this  
38 23 chapter or by another statute referring to this chapter  
38 24 by name, the rights created and the requirements  
38 25 imposed by this chapter shall be in addition to those  
38 26 created or imposed by every other statute in existence  
38 27 on July 1, 1975, or enacted after that date. If any  
38 28 other statute in existence on July 1, 1975, or enacted  
38 29 after that date diminishes a right conferred upon a  
38 30 person by this chapter or diminishes a requirement  
38 31 imposed upon an agency by this chapter, this chapter  
38 32 shall take precedence unless the other statute  
38 33 expressly provides that it shall take precedence over  
38 34 all or some specified portion of this ~~named~~ cited  
38 35 chapter.  
38 36 2. This chapter shall be construed broadly to  
38 37 effectuate its purposes. This chapter shall also  
38 38 be construed to apply to all agencies not expressly  
38 39 exempted by this chapter or by another statute  
38 40 specifically referring to this chapter by ~~name~~  
38 41 citation; and except as to proceedings in process on  
38 42 July 1, 1975, this chapter shall be construed to apply  
38 43 to all covered agency proceedings and all agency action  
38 44 not expressly exempted by this chapter or by another  
38 45 statute specifically referring to this chapter by ~~name~~  
38 46 citation.  
38 47 3. An agency shall have only that authority or  
38 48 discretion delegated to or conferred upon the agency by  
38 49 law and shall not expand or enlarge its authority or  
38 50 discretion beyond the powers delegated to or conferred

39 1 upon the agency. Unless otherwise specifically  
 39 2 provided in statute, a grant of rulemaking authority  
 39 3 shall be construed narrowly.

39 4 DIVISION XI  
 39 5 STATE EMPLOYEE AND ELECTED OFFICIAL PAYMENT OF HEALTH  
 39 6 INSURANCE PREMIUMS

39 7 Sec. 127. Section 2.40, subsection 1, paragraph  
 39 8 a, subparagraph (2), Code 2013, is amended to read as  
 39 9 follows:

39 10 (2) The member shall pay the premium for the  
 39 11 plan selected on the same basis as a full-time state  
 39 12 employee excluded from collective bargaining as  
 39 13 provided in chapter 20. However, the member shall pay  
 39 14 a portion of the total premium for the plan selected  
 39 15 in an amount as determined by the legislative council.  
 39 16 The payment amount as determined by the legislative  
 39 17 council shall be at least twenty percent of the total  
 39 18 premium for the single or family coverage provided  
 39 19 in connection with the member and shall include a  
 39 20 wellness credit to be applied to the member portion  
 39 21 of the premium. The payment amount determined by the  
 39 22 legislative council shall apply to employees of the  
 39 23 general assembly.

CODE: Require members and employees of the General Assembly to contribute a minimum of 20.00%, as specified by the Legislative Council, toward the premium for the health plan the individual selects, and requires the application of a wellness credit.

39 24 Sec. 128. NEW SECTION 8A.440 GROUP HEALTH  
 39 25 INSURANCE PREMIUM COSTS.

39 26 1. Collective bargaining agreements entered into  
 39 27 pursuant to chapter 20 for state employees shall  
 39 28 provide that a state employee covered by that agreement  
 39 29 who is a member of a state group health insurance plan  
 39 30 for employees of the state established under chapter  
 39 31 509A shall pay at least twenty percent of the total  
 39 32 premium for the single or family coverage provided in  
 39 33 connection with each employee. The agreements shall  
 39 34 include a wellness credit to be applied to the member  
 39 35 portion of the premium.

39 36 2. A state employee not covered by a collective  
 39 37 bargaining agreement as provided in chapter 20 who is  
 39 38 a member of a state group health insurance plan for  
 39 39 employees of the state established under chapter 509A  
 39 40 shall pay the same percentage of the total premium  
 39 41 for such insurance as is paid under the collective  
 39 42 bargaining agreement that covers the greatest number  
 39 43 of state employees in the state government entity  
 39 44 employing the state employee and shall be provided a  
 39 45 wellness credit option.

CODE: Requires State collective bargaining agreements to include a provision that employees must pay at least 20.00% of the total health insurance premium and the application of a wellness credit. This requirement also includes the Board of Regents. Employees not covered by a collective bargaining agreement are required to contribute in the same manner as required by the collective bargaining agreement covering the most employees.

39 46 Sec. 129. STATEWIDE ELECTED OFFICIALS — GROUP  
39 47 HEALTH INSURANCE PREMIUM COSTS. A statewide elected  
39 48 official who is a member of a state group insurance  
39 49 plan for employees of the state established under  
39 50 chapter 509A shall pay a portion of the total premium  
40 1 for the plan selected in an amount as determined by the  
40 2 executive council. The payment amount as determined  
40 3 by the executive council shall be at least 20 percent  
40 4 of the total premium for the single or family coverage  
40 5 provided in connection with the elected official and  
40 6 shall include a wellness credit to be applied to the  
40 7 member portion of the premium.

Requires statewide elected officials to contribute at least 20.00% of the total health insurance premium for the health plan selected by the official and the application of a wellness credit.

40 8 Sec. 130. GROUP HEALTH INSURANCE PREMIUMS FOR STATE  
40 9 EMPLOYEES.

Requires Judicial and Executive Branch employees, including the Board of Regents, to contribute at least 20.00% of the total health insurance premium for the health plan selected by the employee and the application of a wellness credit beginning with FY 2014. For FY 2014, requires statewide elected officials, the Legislative, Judicial, and Executive Branch employees' contribution to be transferred to the employing agency responsible for the payment of the health premium and a corresponding decrease in the agencies appropriation. These requirements also include the Board of Regents. Requires the DOM to submit FY 2014 quarterly reports to the General Assembly and the LSA explaining the reductions to appropriations resulting from the transfer of the employees' contributions.

40 10 1. a. This subsection does not apply to members  
40 11 of the general assembly or elected officials who are  
40 12 subject to the provisions of this division of this  
40 13 Act amending section 2.40 or requiring statewide  
40 14 elected officials to pay a portion of health insurance  
40 15 premiums.

40 16 b. For the fiscal year beginning July 1, 2013, each  
40 17 state employee who is a member of a state group health  
40 18 insurance plan for state employees established under  
40 19 chapter 509A shall pay at least 20 percent of the total  
40 20 premium for the single or family coverage provided  
40 21 in connection with the employee's membership in the  
40 22 insurance plan.

40 23 c. For the fiscal year beginning July 1, 2013,  
40 24 each person who is a member of a state group health  
40 25 insurance plan for employees of the state board of  
40 26 regents and the institutions under the control of the  
40 27 state board shall pay at least 20 percent of the total  
40 28 premium for the single or family coverage provided  
40 29 in connection with the person's membership in the  
40 30 insurance plan.

40 31 d. For the fiscal year beginning July 1, 2013, each  
40 32 judicial officer or employee of the judicial branch who  
40 33 is a member of a state group health insurance plan for  
40 34 state employees established under chapter 509A shall  
40 35 pay at least 20 percent of the total premium for the  
40 36 single or family coverage provided in connection with  
40 37 the judicial officer or employee's membership in the  
40 38 insurance plan.

40 39 e. The requirements in this subsection shall be  
40 40 enforceable against all applicable employees for the  
40 41 fiscal year beginning July 1, 2013, notwithstanding

40 42 any provision of chapter 20 to the contrary, and  
40 43 shall remain applicable to each such state employee  
40 44 and person in fiscal years succeeding the fiscal year  
40 45 specified in this subsection until the requirement  
40 46 implemented pursuant to section 8A.440 is applicable  
40 47 to the employee or person.

40 48 f. The requirements in this subsection shall  
40 49 include a wellness credit to be applied to the member  
40 50 portion of the premium.

41 1 2. a. For the fiscal year beginning July 1, 2013,  
41 2 the portion of the payments made pursuant to subsection  
41 3 1 attributed to increases in payments as a result of  
41 4 the percentage requirement implemented pursuant to  
41 5 subsection 1 shall be transferred to the judicial  
41 6 branch or the state agency charged for the state group  
41 7 health insurance plan premiums of the judicial officer,  
41 8 employee, or person who made the payment and shall  
41 9 apply in lieu of a like amount from the appropriations  
41 10 made to the judicial branch or the state agency for the  
41 11 fiscal year.

41 12 b. The moneys paid by members or employees of  
41 13 the general assembly pursuant to section 2.40, as  
41 14 amended by this division of this Act, for the fiscal  
41 15 year beginning July 1, 2013, are appropriated to the  
41 16 general assembly in lieu of a like amount from the  
41 17 appropriations made to the general assembly pursuant to  
41 18 section 2.12, for the fiscal year.

41 19 c. The moneys paid by statewide elected officials  
41 20 pursuant to the section of this division of this Act  
41 21 requiring the officials to pay a portion of the health  
41 22 insurance premium costs for the coverage provided to  
41 23 the officials, for the fiscal year beginning July 1,  
41 24 2012, are appropriated to the state agency charged for  
41 25 the state group health insurance plan premiums of the  
41 26 official who made the payment in lieu of a like amount  
41 27 from the appropriations made to the state agency for  
41 28 the fiscal year.

41 29 3. The department of management, with the  
41 30 assistance of the department of administrative  
41 31 services, state board of regents, the state fair  
41 32 board, the state department of transportation, and each  
41 33 judicial district department of correctional services,  
41 34 shall submit a quarterly report to the general assembly  
41 35 and the legislative services agency during the fiscal  
41 36 year beginning July 1, 2013, regarding the reductions  
41 37 to appropriations made pursuant to subsection 2 during  
41 38 the quarter.

41 39 Sec. 131. APPLICABILITY. The section of this  
 41 40 division of this Act enacting section 8A.440, applies  
 41 41 to collective bargaining agreements entered into on  
 41 42 or after the effective date of that section of this  
 41 43 division of this Act.

The section related to the group health insurance applies to collective bargaining agreements entered into on or after the effective date of this Division.

41 44 Sec. 132. EFFECTIVE UPON ENACTMENT. The following  
 41 45 sections of this division of this Act, being deemed of  
 41 46 immediate importance, take effect upon enactment:  
 41 47 1. The section of this Act enacting section 8A.440.  
 41 48 2. The section of this Act relating to group health  
 41 49 insurance premiums for state employees.

The sections related to the group health insurance and the required group health insurance premiums for State employees are effective on enactment.

41 50 DIVISION XII  
 42 1 SPEED DETECTION JAMMING DEVICES

42 2 Sec. 133. Section 321.232, Code 2013, is amended to  
 42 3 read as follows:  
 42 4 ~~321.232—RADAR SPEED DETECTION~~ JAMMING DEVICES —  
 42 5 PENALTY.

CODE: Expands current law to apply to a broader range of devices that interfere with radar speed meters and laser speed meters. The fine amount remains the same as current law, a simple misdemeanor punishable by a scheduled fine of \$100.

42 6 1. A person shall not sell, operate, or possess  
 42 7 a ~~radar~~ speed detection jamming device, except as  
 42 8 otherwise provided in this section, when the device is  
 42 9 in a vehicle operated on the highways of this state or  
 42 10 the device is held for sale in this state.

DETAIL: Current law prohibits the sale, operation, or possession of a radar jamming device.

42 11 2. This section does not apply to ~~radar~~ speed  
 42 12 measuring devices purchased by, held for purchase for,  
 42 13 or operated by peace officers using the devices in  
 42 14 performance of their official duties.

42 15 3. A ~~radar~~ speed detection jamming device sold,  
 42 16 operated, or possessed in violation of subsection 1  
 42 17 may be seized by a peace officer and is subject to  
 42 18 forfeiture as provided by chapter 809 or 809A.

42 19 4. For the purposes of this section "~~radar jamming~~  
 42 20 device":

42 21 a. "Speed detection jamming device" means any  
 42 22 mechanism designed or used to transmit radio waves in  
 42 23 the electromagnetic wave spectrum to interfere with the  
 42 24 reception of those emitted from a device used by peace  
 42 25 officers of this state to measure the speed of motor  
 42 26 vehicles on the highways of this state and which is not  
 42 27 designed for two-way transmission and cannot transmit  
 42 28 in plain language active or passive device, instrument,  
 42 29 mechanism, or equipment that is designed or intended  
 42 30 to interfere with, disrupt, or scramble the radar or  
 42 31 laser that is used by a peace officer to measure the  
 42 32 speed of motor vehicles. "Speed detection jamming  
 42 33 device" does not include equipment that is legal under

42 34 federal communications commission regulations, such as  
 42 35 a citizens' band radio, a ham radio, or other similar  
 42 36 electronic equipment.  
 42 37 b. "Speed measuring device" includes but is not  
 42 38 limited to devices commonly known as radar speed meters  
 42 39 or laser speed meters.  
 42 40 Sec. 134. Section 805.8A, subsection 14, paragraph  
 42 41 g, Code 2013, is amended to read as follows:  
 42 42 g. ~~RADAR JAMMING SPEED DETECTION JAMMING~~  
 42 43 DEVICES. For a violation under section 321.232, the  
 42 44 scheduled fine is one hundred dollars.

42 45 DIVISION XIII  
 42 46 FIREARMS

42 47 Sec. 135. Section 724.23, Code 2013, is amended to  
 42 48 read as follows:  
 42 49 724.23 RECORDS KEPT BY COMMISSIONER ~~AND ISSUING~~  
 42 50 OFFICERS .

43 1 1. The commissioner of public safety shall maintain  
 43 2 a permanent record of all valid permits to carry  
 43 3 weapons and of current permit revocations.  
 43 4 2. a. Notwithstanding any other law or rule to  
 43 5 the contrary, the commissioner of public safety and  
 43 6 any issuing officer shall keep confidential personally  
 43 7 identifiable information of holders of nonprofessional  
 43 8 permits to carry weapons and permits to acquire pistols  
 43 9 or revolvers, including but not limited to the name,  
 43 10 social security number, date of birth, residential  
 43 11 or business address, and driver's license or other  
 43 12 identification number of the applicant or permit  
 43 13 holder.

43 14 b. This subsection shall not prohibit the  
 43 15 release of statistical information relating to the  
 43 16 issuance, denial, revocation, or administration of  
 43 17 nonprofessional permits to carry weapons and permits to  
 43 18 acquire pistols or revolvers, provided that the release  
 43 19 of such information does not reveal the identity of any  
 43 20 individual permit holder.

43 21 c. This subsection shall not prohibit the release  
 43 22 of information to any law enforcement agency or any  
 43 23 employee or agent thereof when necessary for the  
 43 24 purpose of investigating a possible violation of law  
 43 25 or for conducting a lawfully authorized background  
 43 26 investigation.

43 27 d. Except as provided in paragraphs "b" and "c",  
 43 28 the release of any confidential information under this  
 43 29 section shall require a court order or the consent of

CODE: This Division requires personally identifying information of holders of nonprofessional permits to carry weapons and permits to acquire pistols or revolvers to be kept confidential. However, statistical information can be released as long as it does not identify the permit holder. Specifies that a person that knowingly misleads a licensed firearms dealer or private seller of firearms or ammunition to transfer a firearm or ammunition under circumstances that the person knows will violate the laws of Iowa or the United States commits a Class D felony. A person that provides false information to a licensed firearms dealer or private seller of firearms with the intent to deceive the dealer or seller commits a Class D felony. This Division is effective on enactment.

43 30 the person whose personally identifiable information is  
43 31 the subject of the information request.  
43 32 Sec. 136. NEW SECTION 724.29A FRAUDULENT PURCHASE  
43 33 OF FIREARMS OR AMMUNITION.  
43 34 1. For purposes of this section:  
43 35 a. "Ammunition" means any cartridge, shell, or  
43 36 projectile designed for use in a firearm.  
43 37 b. "Licensed firearms dealer" means a person who is  
43 38 licensed pursuant to 18 U.S.C. § 923 to engage in the  
43 39 business of dealing in firearms.  
43 40 c. "Materially false information" means information  
43 41 that portrays an illegal transaction as legal or a  
43 42 legal transaction as illegal.  
43 43 d. "Private seller" means a person who sells or  
43 44 offers for sale any firearm or ammunition.  
43 45 2. A person who knowingly solicits, persuades,  
43 46 encourages, or entices a licensed firearms dealer or  
43 47 private seller of firearms or ammunition to transfer  
43 48 a firearm or ammunition under circumstances that the  
43 49 person knows would violate the laws of this state or of  
43 50 the United States commits a class "D" felony.  
44 1 3. A person who knowingly provides materially  
44 2 false information to a licensed firearms dealer or  
44 3 private seller of firearms or ammunition with the  
44 4 intent to deceive the firearms dealer or seller about  
44 5 the legality of a transfer of a firearm or ammunition  
44 6 commits a class "D" felony.  
44 7 4. Any person who willfully procures another to  
44 8 engage in conduct prohibited by this section shall be  
44 9 held accountable as a principal.  
44 10 5. This section shall not apply to a law  
44 11 enforcement officer acting in the officer's official  
44 12 capacity or to a person acting at the direction of such  
44 13 law enforcement officer.  
44 14 Sec. 137. EFFECTIVE UPON ENACTMENT. This division  
44 15 of this Act, being deemed of immediate importance,  
44 16 takes effect upon enactment.  
44 17 Sec. 138. APPLICABILITY. The section of this  
44 18 division of this Act amending section 724.23 applies  
44 19 to holders of nonprofessional permits to carry weapons  
44 20 and permits to acquire pistols or revolvers and to  
44 21 applicants for nonprofessional permits to carry weapons  
44 22 and permits to acquire pistols or revolvers on or after  
44 23 the effective date of this division of this Act.

CODE: This Division provides technical and conforming changes to the Notary Public statute in the Iowa Code.

44 26 Sec. 139. Section 9B.15, subsection 3, unnumbered  
44 27 paragraph 1, Code 2013, is amended to read as follows:  
44 28 A certificate of a notarial act is sufficient if it  
44 29 meets the requirements of subsections 1 and 2 and ~~all~~  
44 30 any of the following apply:  
44 31 Sec. 140. Section 9B.17, subsection 1, paragraph a,  
44 32 Code 2013, is amended to read as follows:  
44 33 a. Include the notary public's name, the words  
44 34 "Notarial Seal" and "Iowa", the words "Commission  
44 35 Number" followed by a number assigned to the notary  
44 36 public by the secretary of state, the words "My  
44 37 Commission Expires" followed either by the date that  
44 38 the notary public's term would ordinarily expire as  
44 39 provided in section 9B.21 or a blank line on which the  
44 40 notary public shall indicate the date of expiration,  
44 41 if any, of the notary public's commission, as required  
44 42 by and in satisfaction of section 9B.15, subsection 1,  
44 43 paragraph "e", and other information required by the  
44 44 secretary of state.  
44 45 Sec. 141. Section 321I.31, subsection 3, Code 2013,  
44 46 is amended to read as follows:  
44 47 3. An owner of an all-terrain vehicle shall apply  
44 48 to the county recorder for issuance of a certificate  
44 49 of title within thirty days after acquisition.  
44 50 The application shall be on forms the department  
45 1 prescribes and accompanied by the required fee. The  
45 2 application shall be signed and sworn to before a  
45 3 ~~notary public~~ notarial officer as provided in chapter  
45 4 9B or other person who administers oaths, or shall  
45 5 include a certification signed in writing containing  
45 6 substantially the representation that statements made  
45 7 are true and correct to the best of the applicant's  
45 8 knowledge, information, and belief, under penalty of  
45 9 perjury. The application shall contain the date of  
45 10 sale and gross price of the all-terrain vehicle or  
45 11 the fair market value if no sale immediately preceded  
45 12 the transfer and any additional information the  
45 13 department requires. If the application is made for  
45 14 an all-terrain vehicle last previously registered  
45 15 or titled in another state or foreign country, the  
45 16 application shall contain this information and any  
45 17 other information the department requires.  
45 18 Sec. 142. Section 462A.77, subsection 4, Code 2013,  
45 19 is amended to read as follows:  
45 20 4. Every owner of a vessel subject to titling  
45 21 under this chapter shall apply to the county recorder  
45 22 for issuance of a certificate of title for the vessel  
45 23 within thirty days after acquisition. The application

45 24 shall be on forms the department prescribes, and  
45 25 accompanied by the required fee. The application shall  
45 26 be signed and sworn to before a ~~notary public~~ notarial  
45 27 officer as provided in chapter 9B or other person who  
45 28 administers oaths, or shall include a certification  
45 29 signed in writing containing substantially the  
45 30 representation that statements made are true and  
45 31 correct to the best of the applicant's knowledge,  
45 32 information, and belief, under penalty of perjury.  
45 33 The application shall contain the date of sale and  
45 34 gross price of the vessel or the fair market value  
45 35 if no sale immediately preceded the transfer, and any  
45 36 additional information the department requires. If  
45 37 the application is made for a vessel last previously  
45 38 registered or titled in another state or foreign  
45 39 country, it shall contain this information and any  
45 40 other information the department requires.

45 41 Sec. 143. Section 554.3505, subsection 2, Code  
45 42 2013, is amended to read as follows:

45 43 2. A protest is a certificate of dishonor made by a  
45 44 United States consul or vice consul, or a ~~notary public~~  
45 45 notarial officer as provided in chapter 9B or other  
45 46 person authorized to administer oaths by the law of  
45 47 the place where dishonor occurs. It may be made upon  
45 48 information satisfactory to that person. The protest  
45 49 must identify the instrument and certify either that  
45 50 presentment has been made or, if not made, the reason  
46 1 why it was not made, and that the instrument has been  
46 2 dishonored by nonacceptance or nonpayment. The protest  
46 3 may also certify that notice of dishonor has been given  
46 4 to some or all parties.

46 5 Sec. 144. Section 589.4, Code 2013, is amended to  
46 6 read as follows:

46 7 589.4 ACKNOWLEDGMENTS BY CORPORATION OFFICERS.

46 8 The acknowledgments of all deeds, mortgages, or  
46 9 other instruments in writing taken or certified more  
46 10 than ten years earlier, which instruments have been  
46 11 recorded in the recorder's office of any county of this  
46 12 state, including acknowledgments of instruments made by  
46 13 a corporation, or to which the corporation was a party,  
46 14 or under which the corporation was a beneficiary,  
46 15 and which have been acknowledged before or certified  
46 16 by a ~~notary public~~ notarial officer as provided in  
46 17 chapter 9B who was at the time of the acknowledgment or  
46 18 certifying a stockholder or officer in the corporation,  
46 19 are legal and valid official acts of the notaries  
46 20 public, and entitle the instruments to be recorded,  
46 21 anything in the laws of the state of Iowa in regard to

46 22 acknowledgments to the contrary notwithstanding. This  
 46 23 section does not affect pending litigation.  
 46 24 Sec. 145. Section 589.5, Code 2013, is amended to  
 46 25 read as follows:  
 46 26 589.5 ACKNOWLEDGMENTS BY STOCKHOLDERS.  
 46 27 All deeds and conveyances of lands within this  
 46 28 state executed more than ten years earlier, but  
 46 29 which have been acknowledged or proved according  
 46 30 to and in compliance with the laws of this state  
 46 31 before a ~~notary public~~ notarial officer as provided  
 46 32 in chapter 9B or other official authorized by law  
 46 33 to take acknowledgments who was, at the time of  
 46 34 the acknowledgment, an officer or stockholder of a  
 46 35 corporation interested in the deed or conveyance, or  
 46 36 otherwise interested in the deeds or conveyances, are,  
 46 37 if otherwise valid, valid in law as though acknowledged  
 46 38 or proved before an officer not interested in the  
 46 39 deeds or conveyances; and if recorded more than ten  
 46 40 years earlier, in the respective counties in which  
 46 41 the lands are, the records are valid in law as though  
 46 42 the deeds and conveyances, so acknowledged or proved  
 46 43 and recorded, had, prior to being recorded, been  
 46 44 acknowledged or proved before an officer having no  
 46 45 interest in the deeds or conveyances.  
 46 46 Sec. 146. Section 622.86, Code 2013, is amended to  
 46 47 read as follows:  
 46 48 622.86 FOREIGN AFFIDAVITS.  
 46 49 Those taken out of the state before any judge or  
 46 50 clerk of a court of record, or before a ~~notary public~~  
 47 1 notarial officer as provided in chapter 9B, or a  
 47 2 commissioner appointed by the governor of this state to  
 47 3 take acknowledgment of deeds in the state where such  
 47 4 affidavit is taken, are of the same credibility as if  
 47 5 taken within the state.

47 6 DIVISION XV  
 47 7 FINANCIAL LITERACY

47 8 Sec. 147. FINANCIAL LITERACY PROGRAM. There is  
 47 9 transferred from the general fund of the state to the  
 47 10 banking division within the department of commerce for  
 47 11 the fiscal year beginning July 1, 2013, and ending June  
 47 12 30, 2014, the following amount, or so much thereof as  
 47 13 is necessary, for the purposes designated:  
 47 14 For deposit in the banking division financial  
 47 15 literacy fund created in section 524.107A to support  
 47 16 financial literacy education as determined by the  
 47 17 banking division through a bank, bank holding company,

General Fund appropriation for FY 2014 to the Banking Division of the  
 Department of Commerce to implement a financial literacy program.

47 18 savings bank, or savings and loan association organized  
 47 19 under the law of this state, another state, or the  
 47 20 United States:  
 47 21 ..... \$ 50,000

47 22 Sec. 148. NEW SECTION 524.107A FINANCIAL LITERACY  
 47 23 FUND.  
 47 24 A financial literacy fund is created in the state  
 47 25 treasury under the authority of the superintendent.  
 47 26 Moneys credited to the fund for a fiscal year are  
 47 27 appropriated to the banking division to be used for  
 47 28 financial literacy program activities. Moneys in the  
 47 29 fund shall not be used for administrative purposes.  
 47 30 Notwithstanding section 8.33, moneys credited to the  
 47 31 fund that remain unencumbered or unobligated at the  
 47 32 close of the fiscal year shall not revert but shall  
 47 33 remain available for expenditure for the purposes  
 47 34 designated until the close of the succeeding fiscal  
 47 35 year. Notwithstanding section 12C.7, subsection 2,  
 47 36 interest or earnings on moneys deposited in the fund  
 47 37 shall be credited to the fund.

CODE: Creates the Financial Literacy Fund under the direction of the Superintendent of the Banking Division of the Department of Commerce for the purpose of implementing a financial literacy program.

47 38 DIVISION XVI  
 47 39 PRACTICE BY BUSINESS ENTITIES

47 40 Sec. 149. REPEAL. 2013 Iowa Acts, Senate File 181,  
 47 41 section 29, is repealed.  
 47 42 Sec. 150. RETROACTIVE APPLICABILITY. This division  
 47 43 of this Act applies retroactively to March 28, 2013.  
 47 44 Sec. 151. EFFECTIVE UPON ENACTMENT. This division  
 47 45 of this Act, being deemed of immediate importance,  
 47 46 takes effect upon enactment.

CODE: Repeals a provision in SF 181 (Matters under the Purview of the Banking Division) that was passed by the General Assembly and signed into law by the Governor, that pertains to requiring the Architectural Examining Board to adopt rules to govern the practice of architecture through business entities to protect the public from misleading and deceptive advertising and to guard against the unlicensed practice of architecture. This Division is effective on enactment and applies retroactively to March 28, 2013.

47 47 DIVISION XVII  
 47 48 MANUFACTURED AND MOBILE HOMES

47 49 Sec. 152. Section 435.1, subsection 6, Code 2013,  
 47 50 is amended to read as follows:  
 48 1 6. "Mobile home park" means a site, lot, field,  
 48 2 or tract of land upon which three or more mobile  
 48 3 homes, ~~or~~ manufactured homes, modular homes, motor  
 48 4 homes, recreational park trailers, travel trailers,  
 48 5 or a combination of any of these homes or trailers,  
 48 6 are placed on developed spaces pursuant to a rental  
 48 7 agreement as defined in section 562B.7 and operated  
 48 8 as a for-profit enterprise with water, sewer or  
 48 9 septic, and electrical services available. The term

CODE: Provides changes to the definition of "mobile home park" to include modular homes, motor homes, recreational park trailers, and travel trailers. Provides a definition for recreational park trailers.

48 10 "mobile home park" shall not be construed to include  
48 11 manufactured or mobile homes, buildings, tents,  
48 12 or other structures temporarily maintained by any  
48 13 individual, educational institution, or company on  
48 14 their own premises and used exclusively to house their  
48 15 own labor or students. The term "mobile home park"  
48 16 shall not be construed to include a campground as  
48 17 defined in section 557B.1.

48 18 Sec. 153. Section 435.1, Code 2013, is amended by  
48 19 adding the following new subsections:  
48 20 NEW SUBSECTION 8. "Motor home" means the same as  
48 21 defined in section 321.1, subsection 36C.

48 22 NEW SUBSECTION 9. "Recreational park trailer"  
48 23 means a recreational vehicle built on a single chassis,  
48 24 mounted on wheels, which may be connected to utilities  
48 25 necessary for operation of installed fixtures and  
48 26 appliances, with a gross trailer area not exceeding  
48 27 four hundred square feet when in the set-up mode, and  
48 28 certified by the manufacturer as complying with the  
48 29 American national standards institute construction  
48 30 standard commonly referred to as "ANSI A 119.5".

48 31 Sec. 154. Section 562B.7, subsection 7, Code 2013,  
48 32 is amended to read as follows:

48 33 7. "Mobile home park" ~~shall mean any~~ means a site,  
48 34 lot, field, or tract of land upon which three or  
48 35 more mobile homes, manufactured homes, ~~or~~ modular  
48 36 homes, motor homes, recreational park trailers, travel  
48 37 trailers, or a combination of any of these homes  
48 38 or trailers are placed on developed spaces pursuant  
48 39 to a rental agreement and operated as a for-profit  
48 40 enterprise with water, sewer or septic, and electrical  
48 41 services available. The term "mobile home park"  
48 42 shall not be construed to include manufactured or  
48 43 mobile homes, buildings, tents, or other structures  
48 44 temporarily maintained by any individual, educational  
48 45 institution, or company on their own premises and used  
48 46 exclusively to house their own labor or students.  
48 47 The term "mobile home park" shall not be construed to  
48 48 include a campground as defined in section 557B.1.

48 49 Sec. 155. Section 562B.7, Code 2013, is amended by  
48 50 adding the following new subsections:

49 1 NEW SUBSECTION 8A. "Motor home" means the same as  
49 2 defined in section 321.1, subsection 36C.

49 3 NEW SUBSECTION 9A. "Recreational park trailer"  
49 4 means a recreational vehicle built on a single chassis,  
49 5 mounted on wheels, which may be connected to utilities  
49 6 necessary for operation of installed fixtures and  
49 7 appliances, with a gross trailer area not exceeding

49 8 four hundred square feet when in the set-up mode, and  
 49 9 certified by the manufacturer as complying with the  
 49 10 American national standards institute construction  
 49 11 standard commonly referred to as "ANSI A 119.5".

49 12 DIVISION XVIII  
 49 13 MH/DS SYSTEM REDESIGN — IMPLEMENTATION  
 49 14 REGIONAL FORMATION REQUIREMENTS

49 15 Sec. 156. Section 331.389, subsection 3, paragraph  
 49 16 a, Code 2013, is amended to read as follows:  
 49 17 a. The counties comprising the region are  
 49 18 contiguous except that a region may include a county  
 49 19 that is not contiguous with any of the other counties  
 49 20 in the region, if the county that is not contiguous has  
 49 21 had a formal relationship for two years or longer with  
 49 22 one or more of the other counties in the region for the  
 49 23 provision of mental health and disability services.

CODE: Allows for an exception for a county to join a Mental Health/Disability Services (MH/DS) Region if they are not a contiguous county if they have had a relationship for two or more years.

49 24 ELIGIBILITY MAINTENANCE

49 25 Sec. 157. Section 331.396, subsection 1, Code 2013,  
 49 26 is amended by adding the following new paragraph:  
 49 27 NEW PARAGRAPH 0d. Notwithstanding paragraphs  
 49 28 "a" through "c", the person is an adult or child who  
 49 29 received mental health services from a county in  
 49 30 accordance with the county's service management plan  
 49 31 approved under section 331.439, Code 2013.

CODE: Allows counties to cover individuals receiving Mental Health or Intellectual Disability services in accordance with their current county management plan in a new region.

49 32 Sec. 158. Section 331.396, subsection 2, Code 2013,  
 49 33 is amended by adding the following new paragraph:  
 49 34 NEW PARAGRAPH 0d. Notwithstanding paragraphs  
 49 35 "a" through "c", the person is an adult or child who  
 49 36 received intellectual disability services from a county  
 49 37 in accordance with the county's service management plan  
 49 38 approved in accordance with section 331.439, Code 2013.

CODE: Specifies that counties can continue to provide services they are currently providing to both children and adults.

49 39 Sec. 159. Section 331.397, subsection 2, paragraph  
 49 40 b, Code 2013, is amended to read as follows:  
 49 41 b. Until funding is designated for other service  
 49 42 populations, eligibility for the service domains  
 49 43 listed in this section shall be limited to such persons  
 49 44 who are in need of mental health or intellectual  
 49 45 disability services. However, if a county in a region  
 49 46 was providing services to an individual child or to an  
 49 47 individual adult person with a developmental disability  
 49 48 other than intellectual disability or a brain injury  
 49 49 prior to formation of the region, the individual child  
 49 50 or adult person shall remain eligible for the services

50 1 provided when the region is formed, provided that funds  
50 2 are available to continue such services.

50 3 STATE PAYMENTS TO REGION

50 4 Sec. 160. Section 426B.3, subsection 4, as enacted  
50 5 by 2012 Iowa Acts, chapter 1120, section 137, is  
50 6 amended to read as follows:

50 7 4. a. For the fiscal years beginning July 1, 2013,  
50 8 and July 1, 2014, a county with a county population  
50 9 expenditure target amount that exceeds the amount of  
50 10 the county's base year expenditures for mental health  
50 11 and disabilities services shall receive an equalization  
50 12 payment for the difference.

50 13 b. The equalization payments determined in  
50 14 accordance with this subsection shall be made by the  
50 15 department of human services for each fiscal year as  
50 16 provided in appropriations made from the property tax  
50 17 relief fund for this purpose. If the county is part of  
50 18 a region that has been approved by the department in  
50 19 accordance with section 331.389, to commence partial  
50 20 or full operations, the county's equalization payment  
50 21 shall be remitted to the region for expenditure as  
50 22 approved by the region's governing board. The payment  
50 23 for a county that has been approved by the department  
50 24 to operate as an individual county region shall be  
50 25 remitted to the county for expenditure as approved by  
50 26 the county board of supervisors. For the fiscal year  
50 27 beginning July 1, 2013, and succeeding fiscal years,  
50 28 the payment shall be remitted on or before December  
50 29 31 only for those counties approved to operate as an  
50 30 individual county region or to be part of a region.  
50 31 Remittance of the payment for a county without such  
50 32 approval shall be deferred until such approval is  
50 33 granted.

50 34 STRATEGIC PLAN REQUIREMENT FOR FY 2013-2014

50 35 Sec. 161. 2012 Iowa Acts, chapter 1128, section 8,  
50 36 is amended to read as follows:

50 37 ~~SEC. 8. COUNTY MENTAL HEALTH, —MENTAL RETARDATION~~  
50 38 ~~INTELLECTUAL DISABILITY , AND DEVELOPMENTAL~~  
50 39 ~~DISABILITIES SERVICES MANAGEMENT PLAN — STRATEGIC~~  
50 40 ~~PLAN. Notwithstanding section 331.439, subsection~~  
50 41 ~~1, paragraph "b", subparagraph (3), counties are not~~  
50 42 ~~required to submit a three-year strategic plan by~~  
50 43 ~~April 1, 2012, to the department of human services. A~~

CODE: Specifies that if a county is part of a region that has been approved by the Department of Human Services (DHS), the equalization payment will be remitted to the region as approved by the region's governing board. Payments to a county that have been approved to operate as a region will be remitted to the county as approved by the County Board of Supervisors. Payments are to be made on or before December 31 for counties approved to operate as an individual county region.

CODE: Amends provisions relating to strategic plan requirements to allow the current plan to be in effect until the county joins a region.

50 44 county's strategic plan in effect as of the effective  
 50 45 date of this section shall remain in effect until the  
 50 46 regional service system management plan for the region  
 50 47 to which the county belongs is approved in accordance  
 50 48 with section 331.393, subject to modification before  
 50 49 that date as necessary to conform with statutory  
 50 50 changes affecting the plan and any amendments to the  
 51 1 plan that are adopted in accordance with law.

51 2 TRANSITION FUNDS — FY 2012-2013

51 3 Sec. 162. 2013 Iowa Acts, House File 160, section  
 51 4 1, is amended by adding the following new subsection:  
 51 5 new subsection 4. A county receiving an  
 51 6 allocation under this section may use the allocation  
 51 7 to pay for non-Medicaid mental health and disability  
 51 8 services provided during the state fiscal year  
 51 9 beginning July 1, 2012, and for the county's unpaid  
 51 10 obligation for non-Medicaid bills for services provided  
 51 11 in prior state fiscal years. Moneys allocated in this  
 51 12 section shall not be used for services provided in  
 51 13 the state fiscal year beginning July 1, 2013. Moneys  
 51 14 allocated to a county under this section that remain  
 51 15 unencumbered or unobligated at the close of the state  
 51 16 fiscal year beginning July 1, 2012, shall be remitted  
 51 17 to the department on or before December 15, 2013.

Specifies that if a county receives an allocation of funding from the mental health and disability services redesign transition fund, the county is to use the money to pay for non-Medicaid services in FY 2013 or prior years. Transition funds are not to be used in FY 2014 and any funds remaining are to revert to the DHS by December 15, 2013.

51 18 TRANSITION FUND — SERVICES MAINTENANCE

51 19 Sec. 163. TRANSITION FUND — SERVICES  
 51 20 MAINTENANCE. A county receiving an allocation of  
 51 21 funding from the mental health and disability services  
 51 22 redesign transition fund created in 2012 Iowa Acts,  
 51 23 chapter 1120, section 23, shall utilize the allocation  
 51 24 so that the services available to an individual child  
 51 25 or other individual person in accordance with the  
 51 26 county's approved service management plan in effect as  
 51 27 of June 30, 2012, remain in place provided the child or  
 51 28 other person continues to comply with the eligibility  
 51 29 requirements applicable under the plan as of that date.

Specifies that if counties received transition funds they are to use the money to assure that individuals receiving funds continue to receive services as long as they continue to remain eligible

51 30 REDESIGN EQUALIZATION PAYMENT APPROPRIATION

51 31 Sec. 164. MENTAL HEALTH AND DISABILITY SERVICES —  
 51 32 EQUALIZATION PAYMENTS TRANSFER AND APPROPRIATION.

51 33 1. There is transferred from the general fund of

Provides an FY 2014 appropriation from the General Fund to the

51 34 the state to the department of human services for the  
 51 35 fiscal year beginning July 1, 2013, and ending June 30,  
 51 36 2014, the following amount, or so much thereof as is  
 51 37 necessary, to be used for the purposes designated:  
 51 38 For deposit in the property tax relief fund created  
 51 39 in section 426B.1, for distribution as provided in this  
 51 40 section:  
 51 41 ..... \$ 29,820,478

Property Tax Relief Fund.

51 42 2. The moneys credited to the property tax relief  
 51 43 fund in accordance with this section are appropriated  
 51 44 to the department of human services for distribution  
 51 45 of equalization payments for counties in the amounts  
 51 46 specified in section 426B.3, subsection 4, as enacted  
 51 47 by 2012 Iowa Acts, chapter 1120, section 137, for the  
 51 48 fiscal year beginning July 1, 2013. If the county  
 51 49 is part of a region that has been approved by the  
 51 50 department in accordance with section 331.389, to  
 52 1 commence partial or full operations, the county's  
 52 2 equalization payment shall be remitted to the region  
 52 3 for expenditure as approved by the region's governing  
 52 4 board.

Specifies the moneys credited to the Property Tax Relief Fund are appropriated to the DHS to make an equalization payment to the counties. Funds are to be distributed based on the \$47.28 equalization plan enacted in SF 2315 (FY 2013 Adult Mental Health and Disability Services System Redesign Act).

52 5 3. a. For the purposes of this subsection,  
 52 6 "payment obligation" means an outstanding obligation  
 52 7 for payment to the department of human services for the  
 52 8 undisputed cost of services provided under the medical  
 52 9 assistance program prior to July 1, 2012, or for the  
 52 10 undisputed cost of non-Medicaid services provided prior  
 52 11 to July 1, 2013.

Defines "payment obligation" as an outstanding obligation to the DHS related to Medicaid services provided prior to July 1, 2012, or non-Medicaid services provided prior to July 1, 2013.

52 12 b. (1) If a county with a payment obligation  
 52 13 has not either satisfied the payment obligation on  
 52 14 or before June 28, 2013, or received approval by the  
 52 15 director of human services for a repayment plan for  
 52 16 the obligation in accordance with subparagraph (2),  
 52 17 the department shall offset up to the amount of the  
 52 18 obligation any amount otherwise payable to or for the  
 52 19 county under this section or under the mental health  
 52 20 and disability regional services fund created in 2012  
 52 21 Iowa Acts, chapter 1120, section 9. Any offset amount  
 52 22 shall be transferred to the appropriation made for  
 52 23 the medical assistance program for the fiscal year  
 52 24 beginning July 1, 2012, in 2011 Iowa Acts, chapter  
 52 25 1133, section 122. The department shall credit a  
 52 26 county's payment obligation with any amount owed by  
 52 27 the department to the county for mental health or  
 52 28 disability services provided through June 30, 2013.

Allows a county to enter into a repayment plan with the DHS to settle old Medicaid or non-Medicaid debts and allows the DHS to withhold as much of the equalization payment as necessary to offset outstanding payment obligations if there is no repayment plan.

52 29 (2) A county with a payment obligation may submit  
 52 30 a request to the department to enter into a repayment  
 52 31 plan to satisfy the payment obligation during the  
 52 32 fiscal year beginning July 1, 2013. The request must  
 52 33 be submitted to the department on or before June 15,  
 52 34 2013. The terms of a repayment plan shall require  
 52 35 the payment obligation to be paid in full by the  
 52 36 close of the fiscal year beginning July 1, 2013, and  
 52 37 provide, after county payments for the fiscal year are  
 52 38 made in accordance with the plan, that the projected  
 52 39 ending balance of the county's services fund under  
 52 40 section 331.424A be equal to at least 15 percent of  
 52 41 the projected gross revenue for the services fund  
 52 42 for the fiscal year. The terms may also allow for  
 52 43 the department to authorize remittance of all or a  
 52 44 portion of the amount otherwise payable to or for the  
 52 45 county under this section or under the mental health  
 52 46 and disability regional services fund created in 2012  
 52 47 Iowa Acts, chapter 1120, section 9, during or upon  
 52 48 completion of the repayment plan. A payment plan  
 52 49 entered into under this subparagraph and its terms and  
 52 50 conditions are subject to approval of the director of  
 53 1 human services. The director's approval process shall  
 53 2 be completed on or before July 30, 2013.

53 3 c. The equalization payment under this section for  
 53 4 a county that is not subject to paragraph "b" shall be  
 53 5 remitted on or before July 15, 2013.

Equalization payments are to be made to the counties on or before July 15, 2013, if there are no outstanding payment obligations to the DHS.

#### 53 6 MEDICAID OBLIGATION COST SETTLEMENT

53 7 Sec. 165. COUNTY MEDICAL ASSISTANCE NONFEDERAL  
 53 8 SHARE — COST SETTLEMENT. Any county obligation for  
 53 9 payment to the department of human services of the  
 53 10 nonfederal share of the cost of services provided under  
 53 11 the medical assistance program prior to July 1, 2012,  
 53 12 pursuant to sections 249A.12 and 249A.26, shall remain  
 53 13 at the amount billed through the period ending June 30,  
 53 14 2013. The final monthly billings for the obligations  
 53 15 shall be remitted to counties on or before August 1,  
 53 16 2013. Any adjustments to the final amounts billed for  
 53 17 such services that occur on or after July 1, 2013,  
 53 18 shall be applied to the appropriation made to the  
 53 19 department of human services from the general fund of  
 53 20 the state for the medical assistance program for the  
 53 21 fiscal year beginning July 1, 2013.

Specifies that any county obligation for Medicaid is to remain at the amount billed through FY 2013 and the final monthly billings are to be remitted to counties by August 1, 2013. Any adjustments to Medicaid bills are to be applied to the FY 2013 DHS Medicaid appropriation.

PG LN	GA:85 S3218	Explanation
53 22	TRANSITION FROM LEGAL SETTLEMENT TO RESIDENCY	
53 23 53 24 53 25 53 26 53 27 53 28 53 29 53 30 53 31 53 32 53 33 53 34 53 35 53 36 53 37 53 38 53 39 53 40 53 41	<p>Sec. 166. MENTAL HEALTH AND DISABILITY REGIONAL SERVICES FUND — FY 2013-2014. Moneys credited to the mental health and disability regional services fund created in 2012 Iowa Acts, chapter 1120, section 9, for the fiscal year beginning July 1, 2013, are appropriated to the department for distribution to be used to pay the costs of county or regionally administered non-Medicaid mental health and disability services. The department of human services shall determine the financial need of counties as necessary to minimize the effects of the change in determining the financial responsibility for such services based on legal settlement to residency. If the county of residence is part of a region that has been approved by the department in accordance with section 331.389, to commence partial or full operations, the moneys appropriated by this section shall be remitted to the region for expenditure as approved by the region's governing board.</p>	<p>Allows the DHS to distribute funds allocated to the MH/DS Regional Services Fund as necessary to counties or regions to minimize the effect of changing from county of legal settlement to county of residence.</p>
53 42 53 43	<p>COUNTY MENTAL HEALTH AND DISABILITY SERVICES FUND — FY 2013-2014</p>	
53 44 53 45 53 46 53 47 53 48 53 49 53 50 54 1 54 2 54 3 54 4	<p>Sec. 167. SERVICES FUND — MANAGEMENT PLAN. For the fiscal year beginning July 1, 2013, and ending June 30, 2014, the appropriations made by the county board of supervisors for payment for mental health and disability services pursuant to section 331.424A, subsection 3, as enacted by 2012 Iowa Acts, chapter 1120, section 132, shall be made in accordance with the county's service management plan approved under section 331.439, Code 2013, until the county management plan is replaced by a regional service system management plan approved under section 331.393.</p>	<p>For FY 2013, until the county management plan for MH/DS is replaced with a regional services system management plan, the county management plan remains applicable.</p>
54 5 54 6 54 7	<p>Sec. 168. EFFECTIVE UPON ENACTMENT. This division of this Act, being deemed of immediate importance, takes effect upon enactment.</p>	<p>This Division is effective on enactment.</p>
54 8 54 9 54 10	<p>DIVISION XIX DATA AND STATISTICAL INFORMATION AND OUTCOME AND PERFORMANCE MEASURES</p>	
54 11 54 12 54 13	<p>Sec. 169. Section 225C.4, subsection 1, paragraph j, Code 2013, is amended to read as follows: j. Establish and maintain a data collection and</p>	<p>CODE: Amends the duties of the DHS MH/DS Division Administrator relating to data and performance measures.</p>

54 14 management information system oriented to the needs of  
 54 15 patients, providers, the department, and other programs  
 54 16 or facilities in accordance with section 225C.6A. The  
 54 17 system shall be used to identify, collect, and analyze  
 54 18 service outcome and performance measures data in order  
 54 19 to assess the effects of the services on the persons  
 54 20 utilizing the services. The administrator shall  
 54 21 annually submit to the commission information collected  
 54 22 by the department indicating the changes and trends  
 54 23 in the disability services system. The administrator  
 54 24 shall make the outcome data available to the public.

54 25 Sec. 170. Section 225C.6A, Code 2013, is amended to  
 54 26 read as follows:  
 54 27 225C.6A DISABILITY SERVICES SYSTEM ~~REDESIGN~~ CENTRAL  
 54 28 DATA REPOSITORY .  
 54 29 1. ~~The commission department~~ shall do the following  
 54 30 relating to ~~redesign of data concerning~~ the disability  
 54 31 services system in the state:  
 54 32 ~~—1. Identify sources of revenue to support statewide~~  
 54 33 ~~delivery of core disability services to eligible~~  
 54 34 ~~disability populations.~~  
 54 35 ~~—2. Ensure there is a continuous improvement process~~  
 54 36 ~~for development and maintenance of the disability~~  
 54 37 ~~services system for adults and children. The process~~  
 54 38 ~~shall include but is not limited to data collection and~~  
 54 39 ~~reporting provisions.~~  
 54 40 ~~—3. a.~~ Plan, collect, and analyze data as necessary  
 54 41 to issue cost estimates for serving additional  
 54 42 populations and providing core disability services  
 54 43 statewide. The department shall maintain compliance  
 54 44 with applicable federal and state privacy laws  
 54 45 to ensure the confidentiality and integrity of  
 54 46 individually identifiable disability services data.  
 54 47 The department ~~shall regularly~~ may periodically assess  
 54 48 the status of the compliance in order to assure that  
 54 49 data security is protected.  
 54 50 ~~b.—In implementing~~ Implement a system central data  
 55 1 repository under this ~~subsection~~ section for collecting  
 55 2 and analyzing state, county and region, and private  
 55 3 contractor data, ~~the~~ The department shall establish  
 55 4 a client identifier for the individuals receiving  
 55 5 services. ~~The client identifier shall be used in lieu~~  
 55 6 ~~of the individual's name or social security number.~~  
 55 7 ~~The client identifier shall consist of the last four~~  
 55 8 ~~digits of an individual's social security number, the~~  
 55 9 ~~first three letters of the individual's last name, the~~  
 55 10 ~~individual's date of birth, and the individual's gender~~

CODE: Makes changes relating to Disability Services System Redesign, to delineate requirements pertaining to MH/DS State collection and management information systems and outcome and performance data.

55 11 ~~in an order determined by the department.~~  
55 12 ~~c. Consult on an ongoing basis with regional~~  
55 13 ~~administrators, service providers, and other~~  
55 14 ~~stakeholders in implementing the central data~~  
55 15 ~~repository and operations of the repository. The~~  
55 16 ~~consultation shall focus on minimizing the state and~~  
55 17 ~~local costs associated with operating the repository.~~  
55 18 ~~d. Engage with other state and local government~~  
55 19 ~~and nongovernmental entities operating the Iowa~~  
55 20 ~~health information network under chapter 135 and~~  
55 21 ~~other data systems that maintain information relating~~  
55 22 ~~to individuals with information in the central data~~  
55 23 ~~repository in order to integrate data concerning~~  
55 24 ~~individuals.~~  
55 25 ~~e. 2. A county or region shall not be required to~~  
55 26 ~~utilize a uniform data operational or transactional~~  
55 27 ~~system. However, the system utilized shall have the~~  
55 28 ~~capacity to exchange information with the department,~~  
55 29 ~~counties and regions, contractors, and others involved~~  
55 30 ~~with services to persons with a disability who have~~  
55 31 ~~authorized access to the central data repository. The~~  
55 32 ~~information exchanged shall be labeled consistently~~  
55 33 ~~and share the same definitions. Each county~~  
55 34 ~~regional administrator shall regularly report to the~~  
55 35 ~~department annually on or before December 1, for the~~  
55 36 ~~preceding fiscal year the following information for~~  
55 37 ~~each individual served: demographic information,~~  
55 38 ~~expenditure data, and data concerning the services and~~  
55 39 ~~other support provided to each individual, as specified~~  
55 40 ~~in administrative rule adopted by the commission by the~~  
55 41 ~~department.~~  
55 42 ~~4. Work with county representatives and other~~  
55 43 ~~qualified persons to develop an implementation plan~~  
55 44 ~~for replacing the county of legal settlement approach~~  
55 45 ~~to determining service system funding responsibilities~~  
55 46 ~~with an approach based upon residency. The plan shall~~  
55 47 ~~address a statewide standard for proof of residency,~~  
55 48 ~~outline a plan for establishing a data system for~~  
55 49 ~~identifying residency of eligible individuals, address~~  
55 50 ~~residency issues for individuals who began residing~~  
56 1 ~~in a county due to a court order or criminal sentence~~  
56 2 ~~or to obtain services in that county, recommend an~~  
56 3 ~~approach for contesting a residency determination, and~~  
56 4 ~~address other implementation issues.~~  
56 5 ~~3. The outcome and performance measures applied~~  
56 6 ~~to the regional disability services system shall~~  
56 7 ~~utilize measurement domains. The department may~~  
56 8 ~~identify other measurement domains in consultation with~~

56 9 system stakeholders to be utilized in addition to the  
 56 10 following initial set of measurement domains:  
 56 11 a. Access to services.  
 56 12 b. Life in the community.  
 56 13 c. Person-centeredness.  
 56 14 d. Health and wellness.  
 56 15 e. Quality of life and safety.  
 56 16 f. Family and natural supports.  
 56 17 4. a. The processes used for collecting outcome  
 56 18 and performance measures data shall include but are  
 56 19 not limited to direct surveys of the individuals and  
 56 20 families receiving services and the providers of the  
 56 21 services. The department shall involve a workgroup of  
 56 22 persons who are knowledgeable about both the regional  
 56 23 service system and survey techniques to implement and  
 56 24 maintain the processes. The workgroup shall conduct  
 56 25 an ongoing evaluation for the purpose of eliminating  
 56 26 the collection of information that is not utilized.  
 56 27 The surveys shall be conducted with a conflict-free  
 56 28 approach in which someone other than a provider of  
 56 29 services surveys an individual receiving the services.  
 56 30 b. The outcome and performance measures data  
 56 31 shall encompass and provide a means to evaluate both  
 56 32 the regional services and the services funded by the  
 56 33 medical assistance program provided to the same service  
 56 34 populations.  
 56 35 c. The department shall develop and implement an  
 56 36 internet-based approach with graphical display of  
 56 37 information to provide outcome and performance measures  
 56 38 data to the public and those engaged with the regional  
 56 39 service system.  
 56 40 d. The department shall include any significant  
 56 41 costs for collecting and interpreting outcome and  
 56 42 performance measures and other data in the department's  
 56 43 operating budget.

56 44 Sec. 171. REPEAL. The amendment to section 225C.4,  
 56 45 subsection 1, paragraph j, in 2012 Iowa Acts, chapter  
 56 46 1120, section 2, is repealed.

CODE: Conforming change. Repeals Iowa Code sections that are rewritten in this Bill.

56 47 Sec. 172. REPEAL. The amendments to section  
 56 48 225C.6A, in 2012 Iowa Acts, chapter 1120, sections 6,  
 56 49 7, and 95, are repealed.

CODE: Conforming change. Repeals Iowa Code sections that are rewritten in this Bill.

56 50 DIVISION XX  
 57 1 CHILDREN'S CABINET

57 2 Sec. 173. NEW SECTION 242.1 FINDINGS.

CODE: Specifies that the General Assembly finds there is a need for a

57 3 The general assembly finds there is a need for a  
57 4 state-level children's cabinet to provide guidance,  
57 5 oversight, problem solving, long-term strategy  
57 6 development, and collaboration among the state and  
57 7 local efforts to build a comprehensive, coordinated  
57 8 system to promote the well-being of the children in  
57 9 this state and to address the needs of children for  
57 10 mental health treatment and other specialized services.

state-level children's cabinet to provide guidance, oversight, problem solving, and long-term development strategies to promote the well-being of children in the State.

57 11 Sec. 174.NEW SECTION 242.2 CHILDREN'S CABINET  
57 12 ESTABLISHED.

CODE: Specifies the membership of the new children's cabinet.

57 13 There is established within the department of human  
57 14 services a children's cabinet.

57 15 1. The voting members of the children's cabinet  
57 16 shall consist of the following:

57 17 a. The director of the department of education or  
57 18 the director's designee.

57 19 b. The director of the department of human services  
57 20 or the director's designee. This member shall be  
57 21 chairperson of the cabinet.

57 22 c. The director of the department of public health  
57 23 or the director's designee.

57 24 d. A parent of a child with a severe emotional  
57 25 disturbance or a disability who is the primary  
57 26 caregiver for that child, appointed by the governor.

57 27 e. A juvenile court judge or juvenile court officer  
57 28 appointed by the chief justice of the supreme court.

57 29 f. A community-based provider of child welfare,  
57 30 health, or juvenile justice services to children,  
57 31 appointed by the director of human services.

57 32 g. A member of the early childhood Iowa state  
57 33 board, appointed by the state board.

57 34 h. A community stakeholder who is not affiliated  
57 35 with a provider of services, appointed by the governor.

57 36 i. Not more than three other members, including  
57 37 a pediatrician, designated by the cabinet chairperson  
57 38 to ensure adequate representation of the persons and  
57 39 interests who may be affected by the recommendations  
57 40 made by the cabinet.

57 41 2. In addition to the voting members, there  
57 42 shall be four ex officio, nonvoting members of the  
57 43 children's cabinet. These members shall be two state  
57 44 representatives, one appointed by the speaker of  
57 45 the house of representatives and one by the minority  
57 46 leader of the house of representatives, and two state  
57 47 senators, one appointed by the majority leader of the  
57 48 senate and one by the minority leader of the senate.

57 49 3. a. The voting members, other than department

57 50 directors and their designees, shall be appointed for  
58 1 four-year terms. The terms of such members begin on  
58 2 May 1 in the year of appointment and expire on April 30  
58 3 in the year of expiration.  
58 4 b. Vacancies shall be filled in the same manner as  
58 5 original appointments. A vacancy shall be filled for  
58 6 the unexpired term.  
58 7 c. The voting members shall receive actual and  
58 8 necessary expenses incurred in the performance of their  
58 9 duties and legislative members shall be compensated as  
58 10 provided in section 2.32A.  
58 11 4. Staffing services for the children's cabinet  
58 12 shall be provided by the department of human services.

58 13 Sec. 175.NEW SECTION 242.3 DUTIES.  
58 14 The children's cabinet shall perform the following  
58 15 duties to address the needs of children and families in  
58 16 this state:  
58 17 1. Recommend operating provisions for health homes  
58 18 for children implemented by the department of human  
58 19 services. The provisions shall include but are not  
58 20 limited to all of the following:  
58 21 a. Identification of quality expectations.  
58 22 b. Identification of performance criteria.  
58 23 c. Provisions for monitoring the implementation of  
58 24 specialized health homes.  
58 25 2. Gather information and improve the understanding  
58 26 of policymakers and the public of how the various  
58 27 service systems intended to meet the needs of children  
58 28 and families operate at the local level.  
58 29 3. Address areas of overlap, gaps, and conflict  
58 30 between service systems.  
58 31 4. Support the evolution of service systems in  
58 32 implementing new services and enhancing existing  
58 33 services to address the needs of children and families  
58 34 through process improvement methodologies.  
58 35 5. Assist policymakers and service system users in  
58 36 understanding and effectively managing system costs.  
58 37 6. Ensure services offered are evidence-based.  
58 38 7. Issue guidelines to enable the services and  
58 39 other support which is provided by or under the control  
58 40 of state entities and delivered at the local level to  
58 41 have sufficient flexibility to engage local resources  
58 42 and meet unique needs of children and families.  
58 43 8. Integrate efforts of policymakers and service  
58 44 providers to improve the well-being of community  
58 45 members in addition to children and families.  
58 46 9. Implement strategies so that the children and

CODE: Specifies the duties of the new children's cabinet.

58 47 families engaged with the service systems avoid the  
 58 48 need for higher level services and other support.  
 58 49 10. Submit a report annually by December 15 to the  
 58 50 governor, general assembly, and supreme court providing  
 59 1 findings and recommendations and issue other reports as  
 59 2 deemed necessary by the cabinet. The reports submitted  
 59 3 or issued by the children's cabinet shall be posted on  
 59 4 the department's internet site.

59 5 Sec. 176. INITIAL TERMS. Notwithstanding section  
 59 6 242.2, subsection 3, paragraph "a", as enacted by  
 59 7 this division of this Act, the appointing authorities  
 59 8 for the members of the children's cabinet created by  
 59 9 this division of this Act who are subject to terms of  
 59 10 service shall be coordinated so that the initial terms  
 59 11 of approximately half of such members are two years and  
 59 12 the remainder are for four years and remain staggered  
 59 13 thereafter.

Provides for appointment of approximately half of the initial voting members of the children's cabinet other than department heads to two-year terms in order to stagger the terms.

59 14 DIVISION XXI  
 59 15 NEWBORN CRITICAL CONGENITAL HEART DISEASE SCREENING

59 16 Sec. 177. NEW SECTION 136A.5A NEWBORN CRITICAL  
 59 17 CONGENITAL HEART DISEASE SCREENING.

CODE: Establishes a Newborn Critical Congenital Heart Disease Screening Program. Requires the Center for Congenital and Inherited Disorders, with assistance from the Department of Public Health (DPH), to require birthing hospitals to perform congenital heart disease screening by pulse oximetry or other means as determined by rule, in conjunction with the metabolic screening required pursuant to Iowa Code, section 136A.5.

59 18 1. Each newborn born in this state shall receive  
 59 19 a critical congenital heart disease screening by  
 59 20 pulse oximetry or other means as determined by rule,  
 59 21 in conjunction with the metabolic screening required  
 59 22 pursuant to section 136A.5.

DETAIL: This language was also included in SF 393 (Newborn Heart Screening Bill).

59 23 2. An attending health care provider shall ensure  
 59 24 that every newborn under the provider's care receives  
 59 25 the critical congenital heart disease screening.

FISCAL IMPACT: This provision has no fiscal impact to the State. There will be some impact to birthing hospitals to update testing equipment, but the amount cannot be estimated.

59 26 3. This section does not apply if a parent objects  
 59 27 to the screening. If a parent objects to the screening  
 59 28 of a newborn, the attending health care provider shall  
 59 29 document the refusal in the newborn's medical record  
 59 30 and shall obtain a written refusal from the parent and  
 59 31 report the refusal to the department.

59 32 4. Notwithstanding any provision to the contrary,  
 59 33 the results of each newborn's critical congenital  
 59 34 heart disease screening shall only be reported in a  
 59 35 manner consistent with the reporting of the results  
 59 36 of metabolic screenings pursuant to section 136A.5  
 59 37 if funding is available for implementation of the  
 59 38 reporting requirement.

59 39 5. This section shall be administered in accordance  
 59 40 with rules adopted pursuant to section 136A.8.

59 41 Sec. 178. NEWBORN CRITICAL CONGENITAL HEART

59 42 DISEASE SCREENING. Notwithstanding any provision  
 59 43 to the contrary relating to the newborn screening  
 59 44 policy pursuant to 641 IAC 4.3(1), critical congenital  
 59 45 heart disease screening shall be included in the  
 59 46 state's newborn screening panel as included in the  
 59 47 recommended uniform screening panel as approved by the  
 59 48 United States secretary of health and human services.  
 59 49 The center for congenital and inherited disorders  
 59 50 advisory committee shall make recommendations regarding  
 60 1 implementation of the screening and the center for  
 60 2 congenital and inherited disorders shall adopt rules  
 60 3 as necessary to implement the screening. However,  
 60 4 reporting of the results of each newborn's critical  
 60 5 congenital heart disease screening shall not be  
 60 6 required unless funding is available for implementation  
 60 7 of the reporting requirement.

60 8 DIVISION XXII  
 60 9 INDIVIDUAL DEVELOPMENT ACCOUNT PROGRAM

60 10 Sec. 179. Section 541A.2, subsection 1, paragraph  
 60 11 a, Code 2013, is amended to read as follows:  
 60 12 a. To be eligible to open an account, a prospective  
 60 13 account holder must have a household income that is  
 60 14 equal to or less than ~~two~~ one hundred percent of the  
 60 15 federal poverty level.

60 16 Sec. 180. Section 541A.7, subsection 2, Code 2013,  
 60 17 is amended to read as follows:

60 18 2. Moneys available in the fund for a fiscal  
 60 19 year are appropriated to the administrator to be  
 60 20 used to provide the state match for account holder  
 60 21 deposits in accordance with section 541A.3. ~~At least~~  
 60 22 ~~eighty-five percent of the amount appropriated shall~~  
 60 23 ~~be used for state match payments and the remainder may~~  
 60 24 Moneys credited to the fund shall not be used for the  
 60 25 administrative costs of the operating organization.  
 60 26 Administrative costs include but are not limited to  
 60 27 accounting services, curriculum costs for financial  
 60 28 education or asset-specific training, and costs for  
 60 29 technical assistance contractors.

60 30 2 Title page, line 2, after fees by inserting  
 60 31 and penalties, providing for matters relating to  
 60 32 taxation  
 60 33 3 By renumbering as necessary.

CODE: Changes the household income eligibility requirement for a person to open an Individual Development Account from 200.00% of the federal poverty level to 100.00%. Specifies that moneys in the Individual Development Account State Match Fund cannot be used for administrative purposes. Under current law, up to 15.00% of the moneys in the Fund can be used for administrative purposes.

Makes conforming changes to the title page.

## SF 452 - Standing Appropriations Bill General Fund

	FY 2013	FY 2014					FY 2015				
	Senate - Supp (1)	Current Law (2)	House S-3218 (3)	House Total (4)	Senate-SF452 (5)	Senate Total (6)	Current Law (7)	House S-3218 (8)	House Total (9)	Senate-SF452 (10)	Senate Total (11)
<b>Administrative Services, Dept. of</b>											
Volunteer EMS Provider Death Benefit	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Federal Cash Management - Standing	0	356,587	0	356,587	0	356,587	356,587	0	356,587	0	356,587
Unemployment Compensation - Standing	0	440,371	0	440,371	0	440,371	440,371	0	440,371	0	440,371
Municipal Fire & Police Retirement	9,600,000	0	0	0	5,000,000	5,000,000	0	0	0	5,000,000	5,000,000
<b>Total Administrative Services, Dept. of</b>	<b>\$ 9,600,000</b>	<b>\$ 796,958</b>	<b>\$ 0</b>	<b>\$ 796,958</b>	<b>\$ 5,000,000</b>	<b>\$ 5,796,958</b>	<b>\$ 796,958</b>	<b>\$ 0</b>	<b>\$ 796,958</b>	<b>\$ 5,000,000</b>	<b>\$ 5,796,958</b>
<b>Commerce, Dept. of</b>											
Financial Literacy	\$ 0	\$ 0	\$ 50,000	\$ 50,000	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
<b>Human Rights, Dept. of</b>											
Individual Development Accounts	\$ 0	\$ 0	\$ 50,000	\$ 50,000	\$ 250,000	\$ 250,000	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
<b>Corrections, Dept. of</b>											
State Cases Court Costs	\$ 0	\$ 59,733	\$ 0	\$ 59,733	\$ 0	\$ 59,733	\$ 59,733	\$ 0	\$ 59,733	\$ 0	\$ 59,733
<b>Cultural Affairs, Dept. of</b>											
County Endowment Funding - DCA Grants	\$ 0	\$ 520,000	\$ -103,298	\$ 416,702	\$ 0	\$ 520,000	\$ 520,000	\$ -311,649	\$ 208,351	\$ 0	\$ 520,000
<b>Economic Development Authority</b>											
Tourism Marketing - Adjusted Gross Receipts	\$ 0	\$ 1,164,000	\$ -353,694	\$ 810,306	\$ 0	\$ 1,164,000	\$ 1,164,000	\$ -758,847	\$ 405,153	\$ 0	\$ 1,164,000
Regional Tourism	0	0	0	0	1,164,000	1,164,000	0	0	0	1,164,000	1,164,000
<b>Total Economic Development Authority</b>	<b>\$ 0</b>	<b>\$ 1,164,000</b>	<b>\$ -353,694</b>	<b>\$ 810,306</b>	<b>\$ 1,164,000</b>	<b>\$ 2,328,000</b>	<b>\$ 1,164,000</b>	<b>\$ -758,847</b>	<b>\$ 405,153</b>	<b>\$ 1,164,000</b>	<b>\$ 2,328,000</b>
<b>Education, Dept. of</b>											
Child Development	\$ 0	\$ 12,606,190	\$ -1,877,299	\$ 10,728,891	\$ 0	\$ 12,606,190	\$ 12,606,190	\$ -7,241,745	\$ 5,364,445	\$ 0	\$ 12,606,190
Instructional Support	0	14,800,000	-14,800,000	0	-14,800,000	0	14,800,000	-14,800,000	0	-14,800,000	0
Nonpublic School Transportation	0	9,660,931	-1,100,000	8,560,931	-1,100,000	8,560,931	9,660,931	-1,100,000	8,560,931	-1,100,000	8,560,931
Sac Fox Settlement Education	0	100,000	0	100,000	0	100,000	100,000	0	100,000	0	100,000
State Foundation School Aid (Baseline) '	0	2,653,800,000	0	2,653,800,000	0	2,653,800,000	2,653,800,000	0	2,653,800,000	0	2,653,800,000
AEA School Aid Reduction	0	0	-20,000,000	-20,000,000	0	0	0	0	0	0	0
State Aid English Lang. Learners	0	0	0	0	4,500,000	4,500,000	0	0	0	9,500,000	9,500,000
<b>Total Education, Dept. of</b>	<b>\$ 0</b>	<b>\$ 2,690,967,121</b>	<b>\$ -37,777,299</b>	<b>\$ 2,653,189,822</b>	<b>\$ -11,400,000</b>	<b>\$ 2,679,567,121</b>	<b>\$ 2,690,967,121</b>	<b>\$ -23,141,745</b>	<b>\$ 2,667,825,376</b>	<b>\$ -6,400,000</b>	<b>\$ 2,684,567,121</b>
<b>Iowa Workforce Development</b>											
State Energy Sector Grants	\$ 0	\$ 0	\$ 0	\$ 0	\$ 150,000	\$ 150,000	\$ 0	\$ 0	\$ 0	\$ 150,000	\$ 150,000
<b>Executive Council</b>											
Court Costs	\$ 0	\$ 59,772	\$ 0	\$ 59,772	\$ 0	\$ 59,772	\$ 59,772	\$ 0	\$ 59,772	\$ 0	\$ 59,772
Public Improvements	0	39,848	0	39,848	0	39,848	39,848	0	39,848	0	39,848
Drainage Assessment	0	20,227	0	20,227	0	20,227	20,227	0	20,227	0	20,227
<b>Total Executive Council</b>	<b>\$ 0</b>	<b>\$ 119,847</b>	<b>\$ 0</b>	<b>\$ 119,847</b>	<b>\$ 0</b>	<b>\$ 119,847</b>	<b>\$ 119,847</b>	<b>\$ 0</b>	<b>\$ 119,847</b>	<b>\$ 0</b>	<b>\$ 119,847</b>
<b>Legislative Branch</b>											
Legislative Branch	\$ 0	\$ 37,000,000	\$ -3,000,000	\$ 34,000,000	\$ 0	\$ 37,000,000	\$ 37,000,000	\$ 0	\$ 37,000,000	\$ 0	\$ 37,000,000
<b>Governor</b>											
Interstate Extradition	\$ 0	\$ 3,032	\$ 0	\$ 3,032	\$ 0	\$ 3,032	\$ 3,032	\$ 0	\$ 3,032	\$ 0	\$ 3,032

## SF 452 - Standing Appropriations Bill General Fund

	FY 2013		FY 2014				FY 2015				
	Senate - Supp (1)	Current Law (2)	House S-3218 (3)	House Total (4)	Senate-SF452 (5)	Senate Total (6)	Current Law (7)	House S-3218 (8)	House Total (9)	Senate-SF452 (10)	Senate Total (11)
<b>Public Health, Dept. of</b>											
Congenital & Inherited Disorders Registry	\$ 0	\$ 232,500	\$ 0	\$ 232,500	\$ 0	\$ 232,500	\$ 232,500	\$ 0	\$ 232,500	\$ 0	\$ 232,500
<b>Human Services, Dept. of</b>											
Commission of Inquiry	\$ 0	\$ 1,394	\$ 0	\$ 1,394	\$ 0	\$ 1,394	\$ 1,394	\$ 0	\$ 1,394	\$ 0	\$ 1,394
Nonresident Transfers	0	67	0	67	0	67	67	0	67	0	67
Nonresident Commitment Mental Illness	0	142,802	0	142,802	0	142,802	142,802	0	142,802	0	142,802
Mental Health Equalization	0	0	29,820,613	29,820,613	0	0	0	0	0	0	0
Child Abuse Prevention	0	232,500	0	232,500	0	232,500	232,500	0	232,500	0	232,500
<b>Total Human Services, Dept. of</b>	<b>\$ 0</b>	<b>\$ 376,763</b>	<b>\$ 29,820,613</b>	<b>\$ 30,197,376</b>	<b>\$ 0</b>	<b>\$ 376,763</b>	<b>\$ 376,763</b>	<b>\$ 0</b>	<b>\$ 376,763</b>	<b>\$ 0</b>	<b>\$ 376,763</b>
<b>Judicial Branch</b>											
Judicial Pension System	\$ 0	\$ 0	\$ 0	\$ 0	\$ 5,000,000	\$ 5,000,000	\$ 0	\$ 0	\$ 0	\$ 5,000,000	\$ 5,000,000
<b>Management, Dept. of</b>											
Special Olympics Fund	\$ 0	\$ 50,000	\$ 0	\$ 50,000	\$ 50,000	\$ 100,000	\$ 50,000	\$ 0	\$ 50,000	\$ 50,000	\$ 100,000
Appeal Board Claims	0	7,086,307	-4,086,307	3,000,000	0	7,086,307	7,086,307	0	7,086,307	0	7,086,307
Technology Reinvestment Fund	0	17,500,000	0	17,500,000	0	17,500,000	17,500,000	0	17,500,000	0	17,500,000
<b>Total Management, Dept. of</b>	<b>\$ 0</b>	<b>\$ 24,636,307</b>	<b>\$ -4,086,307</b>	<b>\$ 20,550,000</b>	<b>\$ 50,000</b>	<b>\$ 24,686,307</b>	<b>\$ 24,636,307</b>	<b>\$ 0</b>	<b>\$ 24,636,307</b>	<b>\$ 50,000</b>	<b>\$ 24,686,307</b>
<b>Natural Resources, Dept. of</b>											
REAP GF Standing <sup>1</sup>	\$ 0	\$ 20,000,000	\$ 0	\$ 20,000,000	\$ 0	\$ 20,000,000	\$ 20,000,000	\$ 0	\$ 20,000,000	\$ 0	\$ 20,000,000
<b>Public Defense, Dept. of</b>											
Compensation and Expense	\$ 0	\$ 344,644	\$ 0	\$ 344,644	\$ 0	\$ 344,644	\$ 344,644	\$ 0	\$ 344,644	\$ 0	\$ 344,644
<b>Public Safety, Department of</b>											
POR Unfunded Liabilities	\$ 5,000,000	\$ 5,000,000	\$ -5,000,000	\$ 0	\$ 0	\$ 5,000,000	\$ 5,000,000	\$ -5,000,000	\$ 0	\$ 0	\$ 5,000,000
Public Safety Training	50,000	0	0	0	0	0	0	0	0	0	0
<b>Total Management, Dept. of</b>	<b>\$ 5,050,000</b>	<b>\$ 5,000,000</b>	<b>\$ -5,000,000</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 5,000,000</b>	<b>\$ 5,000,000</b>	<b>\$ -5,000,000</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 5,000,000</b>
<b>Revenue, Dept. of</b>											
Ag Land Tax Credit - GF	\$ 0	\$ 39,100,000	\$ 0	\$ 39,100,000	\$ 0	\$ 39,100,000	\$ 39,100,000	\$ 0	\$ 39,100,000	\$ 0	\$ 39,100,000
Homestead Tax Credit Aid - GF	0	138,000,000	0	138,000,000	0	138,000,000	139,000,000	0	139,000,000	0	139,000,000
Elderly & Disabled Tax Credit - GF	0	27,200,000	0	27,200,000	0	27,200,000	28,700,000	0	28,700,000	0	28,700,000
Printing Cigarette Stamps	0	124,652	0	124,652	0	124,652	562,500	0	562,500	0	562,500
Military Service Tax Refunds	0	2,400,000	0	2,400,000	0	2,400,000	2,400,000	0	2,400,000	0	2,400,000
Tobacco Reporting Requirements	0	25,000	-6,584	18,416	-6,584	18,416	25,000	-15,792	9,208	-15,792	9,208
<b>Total Revenue, Dept. of</b>	<b>\$ 0</b>	<b>\$ 206,849,652</b>	<b>\$ -6,584</b>	<b>\$ 206,843,068</b>	<b>\$ -6,584</b>	<b>\$ 206,843,068</b>	<b>\$ 209,787,500</b>	<b>\$ -15,792</b>	<b>\$ 209,771,708</b>	<b>\$ -15,792</b>	<b>\$ 209,771,708</b>
<b>Transportation, Dept. of</b>											
Airport Traffic Control Grant	\$ 0	\$ 0	\$ 0	\$ 0	\$ 150,000	\$ 150,000	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Street Construction Fund	0	0	135,000	135,000	135,000	135,000	0	0	0	0	0
Public Transit Vehicle Grants	5,000,000	0	0	0	0	0	0	0	0	0	0
<b>Total Transportation, Dept. of</b>	<b>\$ 5,000,000</b>	<b>\$ 0</b>	<b>\$ 135,000</b>	<b>\$ 135,000</b>	<b>\$ 285,000</b>	<b>\$ 285,000</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 0</b>
<b>Total Unassigned Standings</b>	<b>\$ 19,650,000</b>	<b>\$ 2,988,070,557</b>	<b>\$ -20,271,569</b>	<b>\$ 2,967,798,988</b>	<b>\$ 492,416</b>	<b>\$ 2,988,562,973</b>	<b>\$ 2,991,008,405</b>	<b>\$ -29,228,033</b>	<b>\$ 2,961,780,372</b>	<b>\$ 4,948,208</b>	<b>\$ 2,995,956,613</b>

<sup>1</sup> The standing appropriations for State Aid to Schools, the Resource Enhancement and Protection (REAP) Fund, and the Technology Reinvestment Fund are being adjusted in other legislation that is currently pending.